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HANSARD'S
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF
" THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF WILLIAM IV.

VOL. V.

COMPRISING THE PERIOD FROM
THE EIGHTEENTH DAY OF JULY,
TO
THE THIRTEENTH DAY OF AUGUST, 1831.

Second Volume of the Session.

L O N D O N:

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1831.

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THIRD SERIES.

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HANSARD'S

Parliamentary Debates

*During the FIRST SESSION of the TENTH PARLIAMENT of
the United Kingdom of GREAT BRITAIN and IRELAND,
appointed to meet at Westminster,*

14th June, 1831,

in the Second Year of the Reign of His Majesty

WILLIAM THE FOURTH.

Second Volume of the Session.

HOUSE OF LORDS,

Tuesday, July 19, 1831.

MINUTES.] Bills. Read a second time; the Assessed Taxes Composition, and the Militia Ballot Suspension.

Petitions presented. By the Earl of ELDON, from Protestant Magistrates of Galway, to extend the Elective Franchise to Catholics; another Petition of the same character was presented from the Protestants of Newtownsmith. By the Earl of CALEDON, from the Parish of Aghadoo, for the Grant for Education (Ireland) to be continued.

PRIVILEGE—CASE OF MR. LONG WELLESLEY.] The *Lord Chancellor* rose to call the attention of their Lordships to a subject, which he ought, perhaps, before to have brought under their notice—he alluded to a matter which was of the highest importance, as being connected, not only with the jurisdiction of the Court of Chancery, but with the judicial powers of their Lordships' House, which was the highest Court of Judicature in the kingdom. He thought himself called upon to make a statement to their Lordships on the subject, although he was not aware that he should have to recommend to their Lordships to take any steps in consequence of that statement. Their Lordships might remember, that in the course of the Session before last, an appeal from an order of the Court of Chancery came before their Lordships, and, after a solemn and deliberate hearing, the order of the Court below had been affirmed by the judgment of their Lordships. The

order was to this effect—that the children of Mr. Long Wellesley should be taken from under his care and custody, and disposed of according to the direction of the Court of Chancery; and Mr. Wellesley was prohibited, under any pretence whatever, to remove the children from under the care of those to whose charge they were committed by the Court. Mr. Wellesley's daughter was placed under the charge of her aunts, the Misses Long, and from that charge Mr. Wellesley was prohibited by the order from removing her. That order had been affirmed by the unanimous judgment of their Lordships, and therefore had the sanction of, and became the order of the House. But notwithstanding this, Mr. Wellesley, in contempt of the order of the Court of Chancery, and the order of that House, had, a few days ago, proceeded to the house of the Misses Long, and by force and fraud had got possession of the person of the child, and taken her away from the custody of her aunts. Admission had been procured to the house in the absence of Miss Long, under the fraudulent pretence of a message from that lady's solicitor, and this was the fraud employed. The force was, that Mr. Wellesley had taken along with him four persons, armed with constable's batons, which these persons exhibited as their authority to those who attempted to prevent the abstraction, and Mr. Wellesley committed what was in law an assault, by shaking his fist at the

servants of the Misses Long, and by those combined means of fraud, of assault, and other force, he succeeded in carrying away the infant. On information being given to him, as Lord Chancellor, of what had taken place, he had sent his officer to bring the child and Mr. Wellesley before him. The child could not be found, but Mr. Wellesley had attended, and confessed the fraud, the force, and the assault, in direct contempt of the order of the Court of Chancery, sanctioned and confirmed by that House. And he added, that he had got possession of the person of the child, and that he would not give her up; and he further added, to make the contempt more flagrant, that he had removed the child beyond the jurisdiction of the Court. He had immediately ordered Mr. Wellesley into the custody of the Serjeant-at-Arms, and if he had hesitated to do so, he should have been unworthy to hold the office with which he was intrusted, and he should deserve to be impeached for having been guilty of a high misdemeanour. If a pretence of privilege were to be set up as a defence to conduct like this—if all the Members of this and of the other House were to be exempt from punishment when they acted in such a manner—and were to be permitted to set themselves above the law; and if the law makers were thus to set the example of being law breakers, instead of being the guardians and support of the law, then it would be better that all Common and Statute Law should be abolished at once. There was an exemption in favour of Members of Parliament, as to process against their bodies in respect of payment of money, or matters merely civil. But this commitment for contempt was not a process, but a punishment. A punishment for a wrong, done in a wrong manner; and here Mr. Wellesley, although he might, perhaps, have been actuated by an amiable feeling, had not only done wrong, but had done that wrong in a most unworthy manner. He (the Lord Chancellor) had immediately ordered that Mr. Wellesley should be committed to prison—not for his refusal to give up the child, but for what he had before done—for his having, by fraud and force, got possession of the person of the child, in direct contempt of the order and prohibition of the Court. It was to punish him for that which was not punishable in any other way. He might, it was true, be indicted for the

assault, but for the contempt of the Court he could be punished in no other way than by the Court itself. Members of Parliament did, as he had said before, enjoy exemption from arrest on civil process; but he had yet to learn, from some one who might look only at some pretended law of Parliament, and who might know nothing about the law of Westminster Hall, that privilege was a protection from punishment for contempt of Court—even the highest in the kingdom. If it were to be held that the orders of the Court of Chancery might be set at defiance under a pretence of privilege, the consequence would be, that no Member of Parliament could be brought into a Court of Justice as a witness to give evidence, and that a Member of Parliament might walk into a Court of Justice, and interrupt the proceedings of the Court by a long, abusive, and inflammatory speech, and the Court could have no remedy by his removal unless he committed an actual breach of the peace, which he could easily avoid. Such a doctrine he had never heard set up before, and he trusted he never should hear it set up again, for he hoped that the wisdom of the Lords and Commons would promptly and decidedly abjure all pretensions to so odious and pernicious an exemption. He had thought it his duty, under these circumstances, to call their Lordships' attention to this subject at this time, but he did not mean for the present to recommend any ulterior proceeding.

COURT OF EXCHEQUER (SCOTLAND.))
The *Lord Chancellor* reminded their Lordships, that he had given notice, some days ago, of his intention to lay before their Lordships, on this day, a Bill for the abolition of the Court of Exchequer in Scotland, and for substituting some other mode for the discharge of its duties. He then rose to fulfil that notice, though he would abstain from entering into any particular statement of the provisions of the Bill at present, and content himself with moving, that it be read a first time, and printed. It was probably known to their Lordships, that at the Union between England and Scotland, a provision was made, by treaty, that a Court of Exchequer should be appointed in Scotland, after the model of the Court of Exchequer in England. This Court was accordingly afterwards established by a Statute of the 9th of Anne, by which its powers and

duties were defined. But the judicial powers of this Court were not in all respects assimilated to those of the English Court of Exchequer, which was competent, by a fiction of law, to take cognizance of all civil causes, in the same manner as the Court of Common Pleas. The Scotch Court of Exchequer concerned itself with no processes, either civil or criminal, except with such civil processes as were connected with the revenue of the Crown. On inquiry it had been found, that this Court had exceedingly little business to do—indeed, next to none. In the course of three months out of the six months of which the Session consisted, it had happened that only one defended cause had come before the Court, and it was manifest that the whole of the business might be easily done by one Baron sitting for only one day in each week during the time that the Session lasted. In consequence of this, it had occurred to his Majesty's Ministers that the country might be relieved from the burthen of this Court in its present shape, in which it consisted of a Chief Baron and four Puisne Barons; and in this he need not say, that he concurred, having himself taken some steps towards an endeavour to get the same object effected while he was a Member of the other House. As the law stood at present, the Chief Baron was entitled to retire on an allowance at the end of fifteen years' service, and the other Barons had the same privilege. The present Chief Baron had served only three years; but one of the other Barons had served eleven years, and another nine years. But in order to induce the Barons to retire, it was proposed that the Act, called the Pension Act, should be modified, and a certain provision made for those retiring before the expiration of their regular time of retiring, or their becoming afflicted with any infirmity. And in case they should not retire, the plan was, that as the Barons died, their places should not be filled up, leaving the duties to be performed by the remainder, until only one should be left, who could easily perform the whole of the duty, as he had before stated. And then, when the last should die off, it was proposed, that the duty should be performed by a Judge of the Court of Session, not being also a Judge of the Court of Justiciary. There were seven Judges of the Court of Session, who were not Judges of the Justiciary Court, and one of them could well sit in

the Court of Exchequer on the Mondays during the Session, which were the days on which the Justiciary Court sat, during the sitting of which there was no sitting in the Court of Session. One of the duties of the Court of Exchequer was the expediting Crown Charters, and that was a duty for which a Judge of the Court of Session was peculiarly well fitted. An officer of the Exchequer Court, who held his place for life, was perfectly well qualified to audit the public accounts; and another officer, with a small salary, would answer the purpose of assisting the Judge of the Court of Session in such duties as he would have to perform. The details would be more particularly considered hereafter. In the meantime he moved, that the Bill be read a first time and printed.

Ordered accordingly.

MR. MICHAEL STORKS.] The *Lord Chancellor* begged pardon of the House for troubling them again on a subject with respect to which he had no motion to submit; but he was induced to do so, from a desire of doing justice to an individual who had felt himself aggrieved by something which had fallen from him (the *Lord Chancellor*) and another noble Lord, in the course of a debate which took place in their Lordships' House some evenings ago. As the party could take no legal notice of what took place in Debate, he could have no remedy by petition, or in any other way than by a statement in the House. In what he had said, however, he had rather vindicated Mr. Storks. He knew nothing of Mr. Storks, and spoke without prejudice or bias, either for or against. He had understood, that the insertion of the name of Mr. Storks in the Commission of the Peace had been suspended, in consequence of a prosecution for perjury being pending against him. Of this charge Mr. Storks had been triumphantly acquitted; and then a noble Earl (*Harewood*) had called him to task in the House, for intending to restore Mr. Storks to the situation, without notice to him as Lord-lieutenant. He had answered the noble Earl, that he had found his name in the list of those recommended by the noble Earl; and that when the objection to him was once removed, he had no idea, that even on the rule on which he had acted, of appointing only those recommended by the Lord-lieutenant, he was at all called upon to consult his Lordship, who had al-

ready recommended. But then it was said, that Mr. Storks had sent a letter to the Foreman of the Grand Jury, on the subject of the prosecution; and he (the Lord Chancellor) had admitted, that this was wrong, and he still said so; but at the same time, if he had been in Mr. Storks's situation, he certainly should have felt a strong temptation to have acted as Mr. Storks had done, although he hoped he should have been able to resist it. Supposing he had discarded a servant for breach of trust and cheating, and that servant had threatened to accuse him of some crime—perhaps of the foulest that could be imputed to man—unless he gave him 1,000*l*. The servant might go before the Grand Jury who could know nothing of the circumstances, and having made a *prima facie* case, the bill would be found, as a matter of course; and thus he might lie under the foulest imputation for six months, before he had an opportunity of vindicating himself. There would be a strong temptation, in such a case, to give the Grand Jury some notion of the real merits. This was the case of Mr. Storks, against whom the prosecution was instituted by a discarded servant, in order to force him to pay 1,000*l*. by way of compromise relative to a Chancery suit which had taken place about thirty years before. He had said, that the application to the Grand Jury would have been worse, if Mr. Storks had been a professional gentleman. It so happened, that one of Mr. Storks's sons had written to one of the Jury, and had sent him a slip of paper, with questions to be put to the prosecutor; and he (the Lord Chancellor) had said, that this was extremely wrong in the son, who was an attorney. But he now found, that the son who sent the questions was not the attorney, but a coal-merchant. This was what came of speaking of people in their absence. Now, he had looked at the letter sent to him by his noble predecessor, as to the cause of the suspension of Mr. Storks; and he was confirmed in his recollection, that the main cause was alleged to be the pendency of the prosecution for perjury, and not the circumstance of writing to the Grand Jury. He understood, that the noble Earl himself had admitted, that Mr. Storks had, on one occasion, been extremely serviceable in bringing back to peace and good order a very populous district, which had previously been in a state of disturbance.

The Earl of Harewood disclaimed all hostility to Mr. Storks, with whom he was not personally acquainted; but he had thought it his duty to call the attention of their Lordships to the subject; and he now asked the Lord Chancellor, whether he intended to include Mr. Storks in the Commission, or not?

The Lord Chancellor answered, as he should have done at first, that that depended on his own good pleasure. He had followed the rule, not to appoint any, except such as were recommended by the Lord-lieutenant; but that was not on account of the Lord-lieutenant, but merely a measure of precaution which the Lord Chancellor prescribed to himself. He might, if he thought proper, appoint, without recommendation by the Lord-lieutenant, although, by so doing, he should take a double responsibility on himself. So a Minister might recommend to his Majesty to appoint a Judge, without consulting the Lord Chancellor, and the Lord Chancellor would have no reason to complain, but then the Minister would be entirely responsible. In the present instance, however, he had found the name of Mr. Storks in the list of those recommended by the noble Earl, who ought, more justly, to have found fault with his predecessor who had suspended him, than with him (the Lord Chancellor), supposing he should restore him. Once more he begged leave to say, that this was a most inconvenient mode of appointing magistrates, to make their appointment the subject of discussions in either House of Parliament, while it was still under the consideration of a highly responsible member of the Executive Government. He could not conceive a more inconvenient mode for the exercise of that delicate and most responsible trust. It was usual for the Minister of the Crown, in appointing a Judge, to consult with the Chancellor, and to take his advice respecting the person to be raised to the Bench. But it was not to be maintained, that the Chancellor had a right to bring the Minister over the coals in their Lordships' House, whenever he should suppose, that the Minister did not intend to make the appointment at his suggestion. The case of the Lord-lieutenant taking the Chancellor to task, on such a supposition, was exactly parallel. There was no shadow of foundation for the assertion, that the restoration of Mr. Storks to the Commission would have taken place but

for the noble Earl's having called the attention of their Lordships to the subject. It was no such thing. His reappointment had been stopped before it had been alluded to in that House, in consequence of the letter addressed to him (the Lord Chancellor) by the noble Earl himself, and by another private communication.

The Duke of *Wellington* was of opinion, that the subject ought not to have been brought forward in the absence of his noble and learned friend, Lord Lyndhurst. As it had been stated, that the interference with the Grand Jury had been attempted, not by Mr. Storks the attorney, but his brother, Mr. Storks the coal-merchant, he could assure their Lordships that he had seen a letter from Mr. Justice Bayley, in which that learned Judge said, that Mr. Storks the attorney, did put into the hands of one of the Grand Jury a written list of questions to be asked by that Juror to one of the witnesses. He thought that, under such circumstances, his noble friend (Lord Lyndhurst) was justified in removing Mr. Storks from the Commission.

The *Lord Chancellor* observed, that he had carefully abstained from saying a word against what had been done by his noble and learned friend, in consequence of his absence; but though the presence of his noble and learned friend would be desirable, it was rather too much to expect that his absence should prevent a subject of this kind from being noticed. In consequence of the privileged Debates in their Lordships' House, and the unprivileged communication of those Debates to the utmost ends of the earth, was it to be expected that a gentleman and his family, who felt themselves ill-used by what had taken place in the course of those Debates, should abstain from endeavouring to set themselves right with the House and the public, because of the unavoidable absence of one noble and learned Lord? As to the statement of Mr. Justice Bayley, it was quite impossible but the learned Judge must have had it at second hand. He could not possibly know the fact of his own knowledge. Now Mr. Storks had written a letter, stating that it was not his son, the attorney, who had sent the letter up to the Grand Jury, but that it was his son, the coal-merchant; and if there were no foundation for that statement, this Mr. Storks must be the bold-est and most audacious, and withal the most foolish person in the world, to put

forward such a statement. Yet the noble Lords who had cheered the assertion that it was the attorney son, and not the merchant son, who had sent the letter up to the Grand Jury, no doubt, conceived themselves better qualified to determine which brother was the merchant, and which the attorney, than the mother who had borne them, the father who had begotten them, and the relatives who had known them ever since their childhood; and they were, no doubt, ready to divide for the motion, if it should be made, that it was the attorney son, and not the merchant son, who had sent the letter up to the Grand Jury. [The noble and learned Lord here read an extract from a letter which had been written by Mr. Storks, the attorney, in which he stated, that he had had no communication with the Grand Jury, on the occasion alluded to, by letter or otherwise, either directly or indirectly; that he was in London at the time, and that he knew nothing of his father having written to the Grand Jury, until he had returned home. He further stated, that his brother, who had a communication with the Grand Jury, was not an attorney, but a coal merchant, and that the questions which he communicated to one of the Grand Jury, were strictly professional.] He (the Lord Chancellor) gave greater weight to this evidence, than to the hearsay evidence of Mr. Justice Bayley. He had, besides, got a statement under the handwriting of the prosecutor of Mr. Storks, in which he acknowledged that there was no ground for the charge which he had brought against Mr. Storks, and that he had been bribed to make it. Would it not be hard that an individual, in such a case, should be run down without being heard?

The Earl of *Harewood* must repeat, that he had never heard of any disturbances at Duesbury, since he had been Lord-lieutenant. There was a disturbance at a place not far distant, but he had never interfered at Duesbury. He had never been at the Pomfret Sessions since 1819 or 1820, until last year, and never had any communication with Mr. Storks, respecting any disturbance whatever.

Lord *Wynford* contended, that it was criminal to send a letter to a Grand Jury, to influence them in reference to a case which was to come before them, and stated, that there was the case of a country gentleman, who was not a lawyer, who

had been sentenced by the King's Bench to six months' imprisonment for doing so.

The Earl of Eldon said, that the usual sort of intercourse which was maintained between the Lord Chancellor and Lord-lieutenants of counties, divested the exercise of the duty which devolved upon them, of that degree of responsibility which would otherwise attach to it if exercised solely on the responsibility of one party or the other. The noble and learned Lord on the Woolsack, in justifying his conduct in the present case, had spoken of it as a departure from the general rule; and he therefore hoped, that in future the usual rule as to the intercourse between the Great Seal and the Lord-lieutenants of counties would be adhered to. With regard to filling up commissions which had been omitted, and no reasons assigned for such omission, he was aware, that such things had been done by Lord Chancellors. The noble and learned Lord mentioned an instance which had occurred while he held the Great Seal, where the Bishop of Durham, who was accustomed to send up a new commission every year, had on one occasion sent it up, omitting two names, and without assigning any reason for the omission. On making an inquiry into the matter, he (Lord Eldon) found, that there was no reason for excluding those names from the commission, and he had them accordingly placed there. This subjected him, as the Chancellor of the day, to what all Lord Chancellors must be subjected to; and he must entreat the noble and learned Lord not to take the alarm if he were so handled also—if he were almost pulled to pieces for what he might do, or not do, as Lord Chancellor. The second case which had occurred during his chancellorship was that of a Welsh Magistrate, who had been removed from the commission on a charge of having appropriated to himself certain fines which he had imposed upon persons who had been convicted of offences before him. The persons who made this charge made it upon affidavits, and upon those affidavits those persons were convicted of perjury. He had immediately restored this Magistrate to the commission. The third case, he would not mention names, was one in which the individual removed had saved him (Lord Eldon) the trouble of striking his name out, by resigning. In conclusion he would only observe, that he thought there ought to be a free and

liberal communication between the Lord-lieutenants and the Lord Chancellor. He had protected himself from that maxim, that the Lord Chancellor was responsible for all such appointments, by calling to his assistance those who must know better than he could know, who was fit and who was not fit to be in the commission. He would abstain altogether from giving any opinion with regard to the case of Mr. Storks. He agreed, that while the indictment for perjury was pending against Mr. Storks, it would have been becoming in that individual to have suspended himself, but he confessed, that if he had been Chancellor, he should not have thought it his duty to strike Mr. Storks's name out of the commission until he had been proved to be guilty of the charge made against him. Certainly, after the verdict of a jury had declared Mr. Storks to be innocent, a Chancellor would have acted most improperly who did not deal with Mr. Storks on the principle that such a verdict had set him *rectus in curiâ*. So much for the indictment for perjury: but there were other circumstances in the case, and in the absence of the noble and learned Lord (Lyndhurst) now upon the circuit, he must abstain from giving any opinion upon the case generally. He alluded principally to the charge, that Mr. Storks had tampered with the Grand Jury. If that charge could be made out, he could not concur in the doctrine which he had that night heard—namely, that such an offence was not an indictable offence. He did not know whether this charge could or could not be made out, but if it could, he had no hesitation in saying, that if he had been Chancellor, he should have struck out Mr. Storks's name on his own responsibility.

The *Lord Chancellor* was particularly anxious that this discussion should not have the effect which the turn that had been given to it might possibly produce. He was particularly anxious that it might not tend to alarm Lord-lieutenants, or cause it to be supposed that he intended there should be an end to, or an interruption of, that constant and confidential communication which had hitherto subsisted, and which he was most desirous should continue to subsist, between the Lord-lieutenants and the Lord Chancellor. He perfectly concurred in the propriety of those rules which the noble and learned Earl (Eldon) had laid down, and he had never once deviated from those rules, as many

Lord-lieutenants now present could testify, and as many of them on a former occasion had testified. To the hundreds of applications which had been made to him to put gentlemen into the commission, he had never returned any answer upon the merits of the application, but he had told the applicants, that he had sent their applications to the Lord-lieutenant, and that, if the Lord-lieutenant recommended them, he would put them into the commission. The noble and learned Earl (Eldon) seemed to misunderstand the present case. He had not put Mr. Storks into the commission; Mr. Storks was no more in the commission now, than he had been at the moment he was struck out of it; but the question whether Mr. Storks should or should not be put into the commission, was a question now before him for decision, and he should decide it when he had gone through the necessary inquiry and investigation of all the circumstances of the case. As to the charge of tampering with a jury, he had never said that tampering with a jury was an innocent act; but he had said, and he now repeated, that it was an act capable of all shades of wrong, from the highest and deepest guilt down to the venial offence. Whatever their Lordships might now say, he was satisfied that there was no one among them who would not have suggested to the jury to ask such questions of the prosecutor as had been suggested in this case, if that prosecutor had been a discarded servant of theirs—discarded upon suspicion of stealing money—and, above all, if that prosecutor had offered to abandon the indictment for 1,000*l.* Such were the circumstances of this case. If, however, this act were an indictable offence, let Mr. Storks be indicted for it; there were plenty of persons able and willing to indict him, if they could; but, although he did not say that any thing short of the trial of such an indictment would satisfy him, yet he did say, that he should pause, in order to consider and to investigate the circumstances of the case.

The Marquis of *Cleveland* had some knowledge of the circumstances of the case of the Durham Magistrates, to which the noble and learned Earl (Eldon) had alluded. According to his recollection, which he believed was tolerably correct, the names of those Magistrates were omitted, and were not, for some time, re-inserted. He was pretty confident that it was not until strong representations had

been made to the noble and learned Earl, by some of the most influential persons in the county, that the names of those Magistrates were restored to the Commission.

Earl *Grey* said, that he believed it was with himself that the noble and learned Earl (Eldon) had principally communicated on the subject of the omission of the names of these gentlemen in the Commission for Durham. That case occurred some years ago; but he believed his recollection was accurate as to the fact that the names of those gentlemen were actually left out of the first Commission. He believed, that the noble and learned Earl was not aware of that fact at the time. The ground of the omission of these gentlemen's names was a very peculiar one; it was because they had, in the exercise of their magisterial duties, licensed a public-house which the Bishop of Durham wished to put down. This omission excited a great sensation in the county, and the strongest representations on the subject were made to the noble Earl, by many of the most respectable Magistrates in the commission. The noble and learned Earl, upon that occasion, stated to him (Earl Grey) the rules which he had that night stated to the House. A lengthened correspondence took place upon the subject, very much to the displeasure of the Bishop of Durham, and the result was, that the noble and learned Earl re-instated these gentlemen in the commission. Nothing could have been more fair and more creditable than the conduct of the noble and learned Earl upon that occasion: and that conduct, he believed, gave, with one exception only, great satisfaction to the whole county of Durham. He would not detain their Lordships with any lengthened observations upon the case of Mr. Storks. He must, however, say, that in his opinion the noble Earl (Harewood) opposite had no reasonable ground of complaint of want of respect on the part of his noble and learned friend on the Woolsack. His noble and learned friend, not being aware of all the circumstances of the case, had been considering the propriety of reinstating a gentleman in the commission: and in considering this subject, his noble and learned friend had not applied to the Lord-lieutenant, because the Lord lieutenant had recommended the gentleman originally, and had not withdrawn that recommendation. With this recommendation unrecalled, it surely could not

have been necessary for his noble and learned friend, in the first instance, to make any communication to the Lord-lieutenant on the subject. He thought, that his noble and learned friend had acted perfectly right; and he had the means of knowing, that his noble and learned friend, so far from neglecting Lord-lieutenants, had always most scrupulously attended to recommendations which had been forwarded to him from such quarters. He could not see what good end could be answered by prolonging this discussion, and he hoped that the matter would be allowed to rest where it was.

HOUSE OF COMMONS,

Tuesday, July 19, 1831.

MINUTES.] Queen's Dower Bill; Read a second time.

Returns ordered. On the Motion of Mr. D. W. HARVEY, the Balance in the hands of the late Treasurer of Queen Anne's Bounty at the time of his decease; and whether the same, or what portion thereof, has been discharged; and whether the security, if any, given by the said Treasurer, is available to the amount of such Balance unpaid; and the number of Cases, and of the names of the Parties, in which the Crown had administered to the Estates and Effects of Persons who have died intestate, leaving no lawful Issue, since the year 1800 to the present time; specifying the nature and extent of the Property which has been so obtained, or now in progress of recovery, with the appropriation thereof; as also, what proceedings have been taken in the Courts of Law or Equity, in respect thereof, the Costs attending each Case, and by whom, and to whom, paid:—On the Motion of Mr. FOWELL BUXTON, of whom any Communication from and with the Governors of India, relating to any acts of Slave-trading occurring within their Jurisdiction, since 1st January, 1828; Copy of any Correspondence which may have taken place between his Majesty's Secretary of State and the Governor of the Mauritius, respecting the Slave Registry of that Island, since 1st January, 1826, and the Causes which have led to the failure of that part of the Registry Act of 50th January, 1826, which requires, that regular triennial Returns of its Population be made to the Secretary of State; Copies of the Custom House Returns of the number of Slaves brought into Trinidad, or removed from it; specifying the place from, and to, which they were so removed, and the description of them, as endorsed on the several Cockets of Entry or Clearance, since 1st January, 1825. Similar Returns from Demerara, and from the Bahamas. Copies of any Reports made to his Majesty's Government, from the Governors or other proper Officers in the different Slave Colonies belonging to his Majesty, respecting the State, Treatment, Employment, or complete Enfranchisement, of Africans condemned to his Majesty, under the Acts abolishing the Slave Trade, since 16th October, 1828; Any Instructions given with reference to Reports of Commissioners of Inquiry relative to the state of apprenticed Africans, with any Reports received in consequence of those Instructions. Copies of all Correspondence between Lieutenant-Governor Arthur and his Majesty's Secretary of State for the Colonies, on the subject of the Military Operations lately carried on against the aboriginal Inhabitants of Van Diemen's Land; Copies of all Instructions given by his Majesty's Secretary of State for the Colonies, for promoting the Moral and Religious Instruction of the aboriginal Inhabitants of New Holland, or Van Diemen's Land; Copies of all Communications from the British Consuls of Hayti, relative to the civil and social state of

that Island, since the last which were presented to Parliament:—On the Motion of Mr. BERNAL, Sums received by the Corporation of Trinity House, of Deptford Strond, from the Thames River Pilots, in pursuance of the Act 6 George 4th Cap. 125, Sec. 4, for the Year ending the 31st of December, 1830, distinguishing the payments of three guineas each, from the poundage paid upon the earnings of the said Pilots; the names of the Thames River Pilots at present holding Licenses as such.

Petitions presented. By Mr. BURGE, from Corporation of Eye, against the Reform Bill. By Mr. D. W. HARVEY, in favour of the Reform Bill, from Inhabitant Householders of Aldeburgh and Harwich. By Mr. JEPHSON, from Inhabitants of Mallow, in favour of the Irish Reform Bill; from Inhabitants of Whitechurch, for Poor Laws, by assessing Church Property; from Roman Catholic Inhabitants of Grenagh Church, Town, and Moran Abbey (Cork), against any further Grant to the Kildare Street Society. By Mr. HUNT, from Inhabitants of Odiham (Lancashire), for a Tax on Machinery, and Repeal of the Corn Laws; from Stockport, for Annual Parliaments, Universal Suffrage, and Vote by Ballot. By Mr. J. GORDON, from Ship Owners of Dundalk, for the Repeal of the Duties on Marine Insurances. By Mr. WARBURTON, from certain Distillers in Scotland, in favour of the use of Molasses in Distillation.

GRANT FOR THE COLLEGE OF MAYNOOTH.] Mr. James E. Gordon presented a Petition from twenty-eight Ministers, and 111 Elders of the Kirk of Scotland, resident in Glasgow, praying that no further Grant be made for the support of the Roman Catholic College at Maynooth.

Mr. O'Connell.—Will the hon. Member be answerable for the respectful terms of this petition? I ask this question, because a noble Lord presented a similar petition, a few days ago, full of such gross indecency against the Catholic religion as cannot be tolerated. If the hon. Member will not be answerable for it, I must have it read at length by the Clerk.

Mr. James E. Gordon.—I not only approve of the phraseology of this petition, but of every sentiment which it contains, and I shall be glad to have it read at length to the House.

Mr. O'Connell.—I am quite sure, that the hon. Member will concur in every sentiment of the petition which derogates from the rites of the Catholic religion.

The Speaker—"Order, order."

Mr. O'Connell.—I am not aware that I am out of order; but if I am, I am so unintentionally.

[The petition was then read at length; it described the Roman Catholic religion as an idolatrous religion, highly objectionable on principle, and dangerous in result, which was marked out for destruction by God, along with the kingdoms which supported it. It was therefore argued, that any grant of public money to countenance and propagate its errors must be attended with the most prejudicial consequences to

the safety, honour, and welfare, of the British empire.]

The *Speaker*.—Mr. Gordon, what do you move?

Mr. *James E. Gordon*, that it be laid on the Table.

Mr. *Cutlar Ferguson* could not give words to the feelings of indignation which the inflammatory language of this petition had excited in his mind. He looked upon it as a direct insult to every Member of that Parliament which had granted to the Roman Catholics an equality of rights with their fellow-citizens. He particularly condemned the application of the word “idolatrous” to a religion which was followed by the inhabitants of more than half the States of Europe. The application of such a term to the Catholic religion, was equally at variance with the fact, and with every just and liberal sentiment. He had believed that there was no clergyman of the Church of Scotland who would have lost sight of Christian charity so far as to put his name to such a petition; and he was sure, that there were few Gentlemen in that House, besides the hon. Member himself, by whom its sentiments would be sanctioned. He thought, that the education of Catholics deserved protection from the Government, and hoped that it would meet with it. He was sorry, as a Scotchman, that such a petition had been presented from any set of men in Scotland; and he really believed, that the hon. member for Dundalk had been requested to present it, because the petitioners could not find one single Member connected with Scotland who would condescend to take charge of it, much less to accompany it with any opprobrious remarks on the Catholic religion.

Lord *Milton* was not surprised at the very natural indignation with which the hon. and learned member for Kirkcudbright had expressed himself upon this occasion. He rose, however, as a peacemaker upon this question between the hon. and learned Member opposite, and the hon. member for Dundalk. He hoped that the hon. Member near him (Mr. Gordon) would give to this petition his mature and most Christian consideration. He hoped that the hon. Member would consider whether the expressions which it contained were not more consistent with sectarian zeal, than with Christian charity. The petition stated, that the Catholic religion was marked out for destruction by the Divine

will, along with the kingdoms which supported it. How could such frail and ignorant beings—he would not say as the petitioners, but as men in general were—how could the hon. Member himself know anything of the future designs of infinite and omnipotent wisdom? Supposing, however, that this statement of the petition were true, what necessity was there for the House to interfere with the designs of Providence, as the petitioners requested? With regard to religion, he was himself, if he might be permitted to use such a phrase, an ultra-Protestant; but knowing the infirmity of human judgment, he bore with patience what he believed to be the erroneous but conscientious opinions of those who differed from him on points of faith and doctrine. He was sorry to say, that men had often enough of religious zeal to hate one another; he sincerely wished, that they had enough religious charity to teach them to love one another. He was sure, that it would not conduce to the peace of society to encourage in petitions the condemnation of religious opinions, to which, in all probability, those who condemned them had not given any consideration,

Mr. *Dixon*, as the petition came from the city he had the honour to represent, could not do otherwise than state, that there were no men of higher and purer feelings than the members of the Church of Scotland. At the same time he participated so strongly in the feelings of the noble member for Northamptonshire, that he would take the sense of the House as to this very disrespectful and inflammatory petition being laid on the Table. He contended that no men of liberal feelings or Christian charity could give utterance to the doctrines contained in the petition.

Mr. *Cresset Pelham* said, the question was, whether they could receive this petition, which prayed for the withholding a grant from a certain establishment. As they had received other petitions with the same prayer, the consideration now was, whether the wording of the petition was proper or not. He thought the noble Lord had gone a little too far in describing it as an attack generally upon the Catholic religion, which the noble Lord himself, at the same time, called erroneous. He thought it would be better if subjects of this kind were left to the other House of Parliament, where individuals better acquainted with the Divine law than

they could pretend to be, might discuss them. He, as well as the petitioners, dissented from the doctrine of the infallibility of the Pope, which, if not idolatrous, was, at least, a very mischievous doctrine.

Sir *G. Clerk* regretted, as much as any Member of that House, that such intemperate expressions should be contained in the petition. Yet as this would be the first time in which the House had ever rejected a petition because the petitioners differed from it on speculative opinions—the greater proportion of the petitioners being the clergy of Glasgow, who entertained the objections they had stated, from a conviction of the truth of that religion of which they were the ministers—he hoped, that the hon. member for Glasgow would withdraw his proposition, rather than raise so awkward a question. The prayer of the petition was, to stop the grant to Maynooth College, and the great object of the petitioners was, to check the progress of religious errors; and the statements that certain doctrines were erroneous, and marked out by the Scriptures for vengeance, were not sufficient grounds for rejecting their petition.

Sir *R. Inglis* observed, that the terms in this petition, against which such an outcry had been raised, were the terms of the oath which 658 Members of that House had sworn to, only two years ago. Even at present, the Sovereign, before he could take his seat on the Throne, was obliged to take an oath in terms much stronger than those used by the petitioners. Under such circumstances it would appear strange to reject the petition.

Mr. *O'Connell* said, that the only question in this case was this—"is the petition respectfully worded to the House?" because there could be no doubt that the presentation of a petition against the grant to the College of Maynooth was regular enough. In reply to an hon. Gentleman, who had asserted, that Roman Catholics believed in the infallibility of the Pope, he would remark, that they had sworn, over and over again, they believed no such thing. The hon. Member, therefore, knew nothing of the religion he condemned. What he quarrelled with in the language of the petition was, the assertion that his religion was idolatrous. He was a Member of the House; the petition was, therefore, addressed to him along with other Members; and would the hon. member for Oxford tell him, if a man

were to accost him in the street, and say to him, "Mr. O'Connell, your religion is idolatrous," that such conduct would be either civil or respectful? He would venture to tell the hon. member for Oxford, that his religion was as little idolatrous as that which was professed at the celebrated University, which the hon. Baronet so admirably represented. For his own part, he thought that that man's religion was little to be respected when it did not teach him to respect the religion of others. It was not by reproach that men were to be convinced of their errors; it was not by the use of violent and inflammatory language that they were to be induced even to reconsider their opinions. The religion which these petitioners had maligned, was the religion of one-third of the population of the British empire, and was he to be told, that those who informed that House that one-third of its constituents were idolaters, were not using disrespectful language towards it? Suppose a Roman Catholic should present a petition against a grant to the Protestant Universities, and should call the Protestants heretics therein, would not every man in the House rise up with indignation against such an expression? and would not every Roman Catholic Member present be eager to scout a petition which contained such disrespectful expressions? "Let us give up, then," said the hon. Member, "the use of such base expressions, which are unworthy the mild doctrines of our common faith, and let us insist, that the petitions presented to this House, be expressed with decency to the principles of every religious sect which may find a representative among us."

Mr. *Hume* said, that were he a Roman Catholic, he should not feel any indignation at the expressions contained in this petition; he should only feel pity and regret, that in so well educated a country as Scotland, so many pious and conscientious men were found ignorant and prejudiced enough to make use of them. For his own part, he was sorry to see so true a lover of liberty as his hon. and learned friend below him, so anxious to criticise the language of a petition. "It does not affect me," said Mr. Hume, "when men call me Atheist, Idolater, or any such unmeaning names: so long as they keep their hands off me, I have no objection to their indulging in their abuse; for I well know that honest deeds will long outlive

dishonest words." He considered the language of the petition, though intemperate to the Catholics, was still respectful to the House. He believed the opinions of the petitioners, though erroneous, to be sincere; and he never would reject the opinions of such men, when they were expressed according to the rules of the House. He therefore entreated the hon. member for Glasgow not to persist in his proposition to reject the petition, otherwise it would seem as if they were anxious to restrain the expression of opinions in the petitions of the people.

Lord *Althorp* said, he was not in the House when this petition was read, but had since examined its contents. No one, he assured the House, could disapprove more strongly than he did of the language of this petition, but the rule which he had always laid down about petitions was this,—if they are respectfully worded to the House, the House, beyond all question, ought to receive them; but when they contained expressions which reflected either upon individuals who were Members of the House, or upon religious sects, as this petition did most unjustifiably, then, though he would allow them to lie upon the Table, he would object to their being printed. He would, therefore, allow this petition to lie on the Table, but would object to its being printed.

Mr. *Wyse* was of one opinion with the noble Lord and the hon. member for Middlesex, and for this reason, that he would not wish the House to be fettered by precedent from in future entertaining petitions quite as strong as the present in their expressions. With regard to any imputations upon Roman Catholics, he treated any such insinuations with the most perfect indifference. This was not a day to regard them; we were living in a free country, and Members of an independent Legislature, and could not be affected by such ridiculous observations. It was clear that any man in the country had a right to have and to express his opinion, and so far would he go, both as a Member of Parliament and a Roman Catholic, that he would vote not only for the reception, but for the printing of this petition, if a motion for that purpose were made, which he knew would only have the effect of amusing, and not annoying his Catholic countrymen.

Mr. *Maurice O'Connell* contended, that

the petition ought to be rejected, on account of its disrespectful language. A petition presented by the hon. member for Preston was rejected the other night on account of its language, which was not so disrespectful as the language of this petition.

Lord *Mandeville* could not conscientiously submit to a grant for disseminating principles which he held to be opposed to Christianity. Indeed, he doubted the propriety of making any grants for the promotion of religious education, constituted as society was at present.

Mr. *Ruthven* urged, that it was highly inconvenient to have the House thus converted into an arena for polemical discussion. The terms employed in the petition towards those who professed the Roman Catholic religion, were such as he was sure the House would not sanction, and he should certainly, if the House divided, vote against the petition being received.

Mr. *Kennedy* recommended the hon. member for Glasgow to withdraw his Amendment, and at the same time expressed his regret, that persons, from whom better things might have been expected, should hurry on the ignorant and unthinking into courses so much calculated to excite animosity, where it would be at once more charitable and more politic to promote and encourage mutual conciliation. He made these observations, because he had been absent yesterday when a discussion had taken place in some degree connected with this subject. The Irish Protestant inhabitants of Scotland had recently behaved with great impropriety and violence, by persevering in disobedience to the local authorities. They had persisted in having party processions which produced the worst consequences, and on the occasion referred to last night, their proceedings had been of the most wanton and unprovoked description. He would, at some future period, call the attention of the House particularly to the subject, which he thought deserved attention.

Mr. *Lefroy* observed, that although Roman Catholics had been allowed to participate in political privileges, their religion had never been recognized or adopted by the State. He therefore suggested, that as the petitioners were not supposed to know, that such persons were then present in that House, it was evident they could not have intended to insult

them. He should oppose the Motion for rejecting the petition. If the House had ever been open to receive such petitions, it was open still, and he never would consent to narrow the door through which petitions entered that House.

Sir *F. Burdett* said, that the statements advanced by these petitioners, did, in effect cast calumnious imputations on a large body of their fellow-subjects out of doors, whom it was certainly the duty of that House to protect from insult, whether premeditated or otherwise. The grant was not for the purpose of disseminating what the petitioners were pleased to call un-Christian principles, but was voted on the principle that it was politic and wise to afford Catholics an opportunity of being educated at home, instead of compelling them to seek instruction in foreign countries. The question, however, then was, not whether the grant should be acceded to, but whether a petition, couched in such improper and unbecoming language, should be received. He himself had, for several days, been seeking an opportunity to present a petition from Mr. Taylor, who was at present suffering punishment for having spoken offensively of that religion which that House, generally, professed. If the statements of the petitioners were tolerated, his punishment was in the highest degree unjust; but he merely referred to his case on the present occasion, for the purpose of observing, that if they were so resentful on the subject of an insult offered to the Protestant religion, they should be no less jealous where the consciences of their fellow-subjects the Catholics had been outraged. While he condemned the language of the petition, he hoped that the hon. Member who wished to have it rejected, observing the general feeling of the House on the subject, would prevent the necessity of dividing upon such a subject by withdrawing that Motion. He should hesitate about printing the petition, but he hoped it would be received.

Mr. *Dixon* was unwilling to oppose the general feeling of the House, and therefore begged leave to withdraw his amendment.

Mr. *James E. Gordon* rose to move, that the petition be printed, and in so doing, assured the House, that he had submitted it to their consideration, in the conviction that he was thereby fulfilling a sacred duty, from which he could not swerve without doing violence to his conscience, as the

representative of those from whom this petition had emanated. The petition was signed by eleven Ministers, 108 Elders, and many other persons of respectability at Glasgow, and was worded in language respectful to the House. It expressed the sentiments of a large body of Ministers of the Gospel, on a subject on which they could not remain silent, consistent with the principles of their faith, for they considered the Roman Catholic was a religion of error, and upon Scriptural grounds they believed that heavy penal consequences attached to a grant of public money for its advantages, and therefore they prayed it might not be continued. They had heard many objections raised to the word "idolatrous," but it was not long since, that every hon. Gentleman who entered that House was obliged to swear, that he looked upon the Roman Catholic religion as impious and idolatrous. He would take that opportunity of declaring to those Members who professed that persuasion, that anything which fell from him, in reference to the conventional opinions of particular classes, must not be considered as expressive of hostility to them or their principles, but only as signifying his intention to perform his public duty, to the best of his ability and according to his conscience. He begged leave to move the petition be printed.

Mr. *John Wood* said, it was only a few nights ago that the hon. Member had spoken against the Reform Bill, because it extended the elective franchise to Presbyterians and other Dissenters. Now, however, he came forward and presented a petition from a body of Presbyterians, inveighing against the Roman Catholics. In Cromwell's time, the ancestors of these petitioners spoke of the Episcopalians as persons who wore the rags of the Scarlet Whore of Babylon. And he would ask the hon. member for Dundalk, whether he would have presented this petition, if the petitioners, instead of spending their poor, pitiful, miserable spite on the Roman Catholics, had, after the manner of their ancestors, vented it on those who wore the rags of the Scarlet Whore of Babylon. Assuredly he would not. This petition, however, was at best equally offensive to the members of the Church of Rome, and on that account he should oppose its being printed.

Sir *J. Bourke* read that portion of the petition which denounced the Church of

Rome as devoted by God to destruction, together with every nation that had embraced it. He would put it to the House, whether this passage was not an insult, not only to him as an individual Catholic, but also to every Catholic kingdom in amity with Great Britain.

Mr. *V. Fitzgerald* thought, that hon. Members generally must be sensible of the extreme inconvenience of making that House a scene of such discussions. He should vote against the printing of this petition, because the language in which it was couched could not but be highly offensive to a large portion of his fellow-countrymen, on whom he would not impose an expense for the purpose of circulating that which they must consider an insult to themselves. The hon. Member should have previously made himself acquainted with the usages of the House, with respect to the reception of petitions, as, by presenting what was offensive and irregular, he incurred a portion of the responsibility which it involved.

Sir *G. Warrender*, as a Scotch Member, felt deep regret that such a petition should have been presented from so liberal a body as the Presbyterian Clergy; but he was quite certain, nevertheless, that the sentiments which it expressed were not those of the Church of Scotland in general. It was to be hoped, however, that that Church would justify his good opinion, by an indignant disavowal of such illiberality and intolerance. For his own part, he should feel it his duty to vote against their promulgation.

Sir *G. Clerk* supported the printing of the petition, and referred to one of a similar nature from Aberdeen, presented on the 23rd of June, which he considered a sufficient precedent to authorise printing the petition then before them. It ought to be observed, that the petitioners did not seek to deprive the Roman Catholics of any of their liberties, but merely to prevent the extension of the dangerous tenets of that religion, believing, as they did, that it was marked out for Divine vengeance. Great latitude, in his opinion, ought to be allowed to petitioners in making their sentiments known to the Legislature, and stronger language than that contained in the present petition had certainly been already printed by order of the House. He had the good fortune to know many of the petitioners, who were distinguished for learning and piety, and

would never consent that any slur should be cast on them by their petition not being printed.

Sir *R. Peel* said, he should have had no hesitation in voting for the reception of this petition, as he did not think that it contained any thing personally offensive to individuals, especially as the precedent of a refusal might hereafter prove inconvenient to the House; but the printing of the petition was entirely a different question, and he should be opposed to that, if for no other reason, merely as a matter of policy. He could not imagine a more useless waste of money, than that occasioned by the printing of so many petitions, without producing any advantage proportionate to the expense. In the case before them, weighing the advantages and disadvantages, which the course urged by the honourable Member seemed to involve, he should say, that the evil greatly preponderated. The House should remember, that six or seven millions of their fellow-subjects embraced the creed which this petition characterised in such offensive language, and were they to print it, he did not see how they could well refuse to print counter-petitions on the same subjects, of which great numbers could, doubtless, easily be obtained. On these considerations, he should certainly negative the motion of the hon. Member.

Mr. *Stanley* said, he was glad that he had given precedence to the right hon. Baronet, in whose view of the case he fully concurred, particularly as to the distinction between laying the petition on the Table, and printing it. But he did not concur in what had fallen from the right hon. member for Ennis (Mr. *V. Fitzgerald*), that a Member was responsible for the matter of any petition presented by him. The understanding of the House was, that a Member was no further responsible for a petition intrusted to him, than to see that it was couched in respectful language. He fully concurred, that, in good taste, as well as good feeling, they should reject the motion for printing the petition; and they would act as unjustly in ordering it to be printed, as they would have, in the first instance, had they refused to receive it.

Mr. *O'Connell* said, that if any irritation was excited in the minds of any hon. Members by the matter of the petition, it must be abundantly allayed by the manner

in which it was received by the House. The reason why no notice had been taken of the petition from Aberdeen, presented on the 23rd of June, was, that the noble Lord who presented it (Lord Mandeville), made no mention of it beyond its general import, and he (Mr. O'Connell) knew nothing of it, until he saw it printed in the Appendix to the Votes. It was seeing that petition which had led him to call on the hon. member for Dundalk to state, whether the present petition contained any of those gross and indecent reflections on the Catholic religion which had characterised the former petition, when the hon. Member declared, that he not only had read, but also approved of every sentiment it contained. The ground on which the hon. Member had defended the petition was the same as that adopted by the Inquisition of Spain. He (Mr. O'Connell) would tell hon. Members, that he detested and abjured an Inquisition, whether in Spain or in England. The noble Lord (Lord Mandeville), seemed to think, that he (Mr. O'Connell) must, from his religion, consider him a heretic. It was far from him to judge of any man, in a case which was between him and his God, and he would not pass such a judgment on any man; but even if he had an opinion of that kind, he hoped he had Christian charity enough not to apply the term to any fellow-Christian.

Lord Mandeville said, he had not put the case in the way in which the hon. Member understood it. He had declared, that he could not conscientiously support a grant to promulgate principles which he considered were opposed to Christianity, and he would not offer any opinion which he was not prepared to defend.

Mr. Hunt objected to the doctrine, that a man was responsible for the matter of any petition which he presented. Many hon. Members were in the constant habit of presenting petitions, the sentiments of which they disavowed.

Mr. V. Fitzgerald said, he was not correctly understood. What he meant to convey was, that every Member was supposed to entertain the sentiments of any petition which he presented, unless he disavowed them.

Mr. James E. Gordon disclaimed any hostility to those individuals to whose religious opinions the petition referred. He felt himself placed in a difficult position by the course the discussion had taken;

but he was at the post of duty, and would not flinch from it.

The motion for printing the petition negatived without a division.

CLAIMS OF BRITISH SUBJECTS ON BRAZIL.] Mr. Dixon rose to lay before the House a case of as great hardship, in an attack by a foreign power on British vessels, as could be paralleled in the annals of nations. He alluded to the illegal captures of British ships, by the Brazilian squadron blockading the river Plate. The House were aware, that the Government of Brazil had declared the Rio de la Plata in a state of blockade, in the years 1826 and 1827, and in consequence of that declaration, a number of British vessels were captured, which were ultimately condemned. The Government of this country sent out Lord Ponsonby to demand satisfaction for the injury done to our subjects; but, to show the nature of this injury, he would mention the cases of a few of the vessels which were captured. He wished to observe, that before he proceeded with the cases of those vessels, he would beg of those hon. Members who were engaged in private conversations, to leave their places and go to the adjoining rooms, where they could enjoy their conversation without any interruption of the business. It was an additional hardship on British merchants, who had already suffered so much from those unjustifiable seizures, that the statement of their case to the House should be interrupted by the conversation of hon. Members. There were so many of those little conversational committees going on in the House at the same time, that he could scarcely hear his own remarks. The first case of capture that he would notice, was that of the ship *George*. She was sent out from Liverpool, to proceed to Buenos Ayres, if she should find the Rio de la Plata open. On coming up the river, she was hailed by the Brazilian squadron, and hove-to. Her captain stated to the Brazilian commander, that her object was, not to break the blockade, but only to go up the river if it should be open; but this statement was of no avail, and the vessel was condemned as a lawful prize. He need not quote any higher authority, for the illegality of this seizure, than an opinion of one of our own Judges, who declared, when an action was afterwards brought in the Court

of Common Pleas, to recover the Insurance, which was resisted, on the ground that the *George* had endeavoured to break the blockade, that that was no ground whatever for the seizure, which was grossly illegal. The next cases were those of the *Hellespont*, and the *Unicorn*, whose cargoes were valued at 100,000*l*. These were also captured by the squadron, under circumstances not authorised by the law of nations, and were condemned by a petty Judge, who ordered them for immediate sale, though this was as contrary to the Brazilian law, as to the law of nations; for, by the former, no ship could be condemned without an appeal from the minor to the superior court at Rio Janeiro. Another vessel had been seized, on no other pretext, than that she would make a good privateer, and for such a seizure, such a piracy, he might call it, no satisfaction had been given, and no restitution made. The next was the case of the *Nestor*. She was first seized by a Buenos Ayres privateer, off Patagonia, and afterwards released by the government of Buenos Ayres, as being a vessel of a friendly power; but she was subsequently taken by the Brazilian squadron, and condemned, on the alleged ground, that having been in the possession of a Buenos Ayres privateer, the property had changed hands. Her seizure made so great a sensation at Monte Video, that orders were given to retake her wherever she could be found, and she was afterwards recaptured by a British frigate, under the guns of the Brazilian squadron. Yet, would the House believe it, as soon as the fact was known to the Government of this country, orders were sent out that she should be again given up to the Brazilian squadron, and, as he understood, a reprimand was sent out to the commander of the frigate, who did no more than his duty, in the protection of British commerce. Thus the attacks of the Brazilian squadron on our ships, were sanctioned by our Government; and it was not until after the Governments of France and America, which certainly showed a more ready disposition to protect their commerce, than we did to protect ours—it was not until after they had sent their ministers, accompanied by a sufficient force to compel satisfaction, which they obtained—that this Government thought of making any demand, on the part of the subjects of England. In the year 1828, Lord

Ponsonby was sent out to demand satisfaction, and a memorandum was then agreed to, between him and the government of Brazil, as to the ground on which satisfaction should be given. That memorandum was said to be too astringent on Brazil; but he denied that it was so. There was then a promise, on the part of Brazil, that something would be done to satisfy the demands of the British claimants; but nothing had since been done, and the only answer subsequently given to the applicants by our Government was—"We are doing all we can." Was that a fit answer to the claims of British merchants, whose property had been so illegally taken from them? Was it such an answer as they had a right to expect, when they saw, that the governments of France and America had demanded, and obtained, satisfaction for their subjects? From that time the claimants were kept off by long evasions, and the Commissioners, appointed by Lord Ponsonby, and the Brazilian government to settle the dispute, were thwarted in their endeavours to come to an amicable arrangement. The British Commissioner complained that Mr. Lisboa was doing all in his power to prevent a fair hearing of the claims, and a demand was made on our side, that he should be removed; but that did not take place until a long time after it had been demanded. A strong suspicion had since been excited, that a second despatch had been sent out to Mr. Aston, the British Chargé d'Affaires at Rio, directing him not to press the adjustment of British claims, under the circumstances in which the country was placed. Now, it was only right that the fullest information should be afforded by his Majesty's Government upon this point. If the Articles of the memorandum were in any respect hard on Brazil, as was asserted, he would say, that they were still harder on the British merchants, for even if the whole of their claims were now settled, they would, by the rate of exchange agreed upon in one of the Articles, lose from thirty to thirty-five per cent. If any of the Articles affecting Brazil should be complained of, he was prepared to go through the whole, and show that Mr. Aston had settled the rate of exchange in a manner most injurious to our interests. If it should be said, that the present unsettled state of Brazil prevented the dispute being satisfactorily arranged, he would ask whether Mr. Aston, in one

of his communications, had not stated, that we should not be able to obtain any satisfaction until we sent out a force to make reprisals? If this was not so, it would be most easy to contradict it. It was said, too, that Lord Palmerston, in answer to some applications to him, sent out a demand on the Brazilian government, with a threat of reprisals if satisfaction were not made, and Mr. Lisboa removed; but if the noble Lord had looked into the documents in the Foreign Office, he would have found, that Mr. Lisboa had been removed six months before. It was also stated, he knew not how correctly, that another order had been sent out to countermand the previous order, and direct our Minister at the Brazils not to enforce reprisals. Ministers could easily remove any suspicion on this ground, by acceding to the motion which he should now make. The hon. Member concluded by making the following Motion:—"That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House, copies of all communications that have passed between the Foreign Office and the British Legation at Rio de Janeiro, relative to the claims of British Merchants for indemnification for the illegal capture of their ships by the Brazilian Squadron, in 1826 and 1827, off Buenos Ayres:—also copies of all instructions that have been sent out to Mr. Aston on the subject; also, copies of all communications from Mr. Hood, British Consul at Monte Video, on the subject."

Lord *Althorp* said, he was quite sure that, from the terms of the motion, the House would see the impossibility of his acceding to it, as part of the documents sought for referred to negotiations still pending, and to grant documents of that kind was contrary to the practice of the House. He, therefore, felt regret, that the hon. Member had pressed his motion, because he was obliged to meet it by a direct negative.

Mr. *Hume* thought, the House would agree that the application of these claimants had not been fairly met by the noble Lord. They had been applying five years for redress, and no redress was yet given, and they now, therefore, sought to know in what state the negotiations respecting their claims were, and if there was any prospect of their being satisfied. Surely this was no unreasonable demand. All

they knew was, that some arrangement had been agreed to, with respect to these claims, some considerable time back, but that nothing had since been done to afford them a prospect of redress, while they knew well, that by the agreement made with France and North America, the claims of the subjects of those countries had been settled long ago. Was it reasonable to say, that with our overwhelming naval power, we should fail of obtaining that satisfaction and redress for our subjects, which the governments of France and America had so readily obtained for theirs? Surely it would not be said, that we should be less careful of our subjects than the governments of other countries. The sum at issue was much larger with us than it was, he believed, with either France or America. At all events, it amounted to half a million, and would involve a serious loss to many, if not recovered, or if payment were much longer delayed. But be the sum great or small, our merchants were entitled to protection; and having read the papers, he owned he was surprised that it should not have been given. He did hope, therefore, that the noble Lord would not give a negative to this Motion, without, at least, informing the House as to what was the state of the negotiations. He was sorry, that he did not see the noble Lord, the Secretary for Foreign Affairs, in his place on this occasion. The noble Lord took his seat yesterday, and must have been aware that this motion had been deferred from a former day in consequence of his not having then taken his seat. It was a mark of disrespect to the House, that the noble Lord was not present to give an answer to the complaint. He must repeat, that it was shameful that England should have failed to obtain that satisfaction for her subjects which France and America had got for theirs. Independently, therefore, of the loss our merchants had suffered, he looked upon the honour of the country as involved in the issue. If the motion of the hon. Member could not be carried in its present shape, he would advise him to alter it so as to make it extend only to such documents as could be given. At all events, he hoped that Government would not give a direct negative to the Motion, without some explanation to the House, as to the present state of the negotiation, and as to what prospect there was of a final settlement of the

claims. He should support the motion of the hon. member for Glasgow, and divide the House upon it, unless he heard some statement more satisfactory on the subject than that which had been made by the noble Lord, the Chancellor of the Exchequer. He did not, however, so much blame the present as the late Government.

Lord *Althorp* said, that he objected to the motion for the production of the papers, because the matter was still in a course of negotiation, and it was the earnest endeavour of Government to bring that negotiation to a close as speedily as possible.

Mr. *Wrangham* said, as the hon. member for Middlesex had stated, that he considered the late Government to blame in the transaction which had been brought under the notice of the House, he rose to inform the hon. Member, that the noble Lord, formerly at the head of the Foreign Department, had used his utmost endeavours to bring the negotiation to a satisfactory conclusion. Very strong instructions were sent out to the British agent at Rio de Janeiro, to employ all the means in his power to procure a rightful adjustment of the claim of the British merchants. The charge made by the hon. member for Middlesex was, therefore, quite unfounded.

Mr. *Alderman Thompson* thought, that if the House came to a decision upon the slight statement which had been made by the noble Lord opposite, and refused all investigation into the matter, the result would be far from satisfactory to the parties who had lost so much property. There were several cases of capture which, he was sure, would rouse the indignation of the House, but he was not prepared to state the particulars at the present moment, because he had not been aware, that the question would have been brought before the House that night; and had, therefore, not brought with him the necessary documents to support his assertions. He well knew, however, that in several instances, the vessels captured were not bound to Buenos Ayres at all. Was such conduct to be tolerated? Were such outrages to be committed on British property and shipping with impunity? The injured parties had a right to expect the Government would interfere, and procure for them some indemnification for their losses. Five years had elapsed since these captures had taken place, and as yet no-

thing was done. At the same time, as he had confidence in the Ministers, if they would only declare, that they were alive to the importance of this subject, and would leave no measure untried to procure redress, he would advise the hon. member for Glasgow not to press his motion to a division. If, however, the noble Lord gave them no further satisfaction, it would be the duty of the House to require, that the information which had been moved for should be produced. As allusions had been made to the former Government, he felt bound to remind the House of the persevering and successful efforts of the noble Lord who then held the Seals of the Foreign Department, in securing the claims of British subjects on the Spanish government. At present all those claims were liquidated.

Lord *J. Russell* assured the hon. member for the city of London, that Ministers were perfectly alive to the importance of the subject; and the only ground upon which they resisted the motion was, because a negotiation was still pending.

Sir *C. Wetherell* said, that the piracies committed by the Brazilian fleet were of the worst character; and he thought that this country should have been more imperative on the subject towards the Brazilian government; but after what had been stated by the noble Lord opposite, relative to pending negotiations, he could not support the motion, if it was pressed to a division. He would, however, be ready to concur in any resolution, declaring it to be the duty of Government to enforce the claims of the British merchants with the utmost diligence.

Mr. *Dixon* said, that he should withdraw his motion, in consequence of the noble Lord opposite having stated, that the papers could not be produced without inconvenience. He should be glad to know, however, whether it was true, that the orders issued by the late Government, directing reprisals to be made, had been withdrawn?

Lord *Althorp* assured the hon. Member, that the Government would leave no means untried in order to have justice done to the aggrieved.

Motion withdrawn.

BOROUGH OF LIVERPOOL.] Lord *John Russell* requested his hon. friend (Mr. *Benett*), who had some Resolutions to move on the Representation of the borough

of Liverpool, to postpone his Motion, in order to allow the Reform Bill to go early into Committee.

Mr. *Benett* said, it would be exceedingly painful for him to delay the important question of Reform, but he felt himself to be placed in rather an awkward position, and he wished to be protected from the charge, that he had not pushed his motion forward in a sufficiently determined manner. He had been accused, not only by a portion of the public press, but also by the hon. member for Preston in that House, of not being in earnest in the intention which he had expressed of bringing the question forward. He did, however, assure the House, that he most sincerely desired to make the motion of which he had given notice, and nothing should prevent him from doing so, but the want of physical strength. He, therefore, did entreat the noble Lord to allow him precedence on that day week; so that he might have an opportunity of bringing his motion forward. He should now postpone his motion on the Representation of the borough of Liverpool, with the understanding that no writ would be issued for that borough until his Motion had been heard.

PARLIAMENTARY REFORM BILL —
ENGLAND—COMMITTEE—FIFTH DAY.]
Lord John Russell moved the Order of the Day for the House resolving itself into a Committee on the Reform Bill for England.

Mr. *George Bankes* rose to present the Petition from the borough of Great Bedwin of which he had given notice. He had no desire to delay the House from resuming the consideration of the important measure, to a part of which the petition he held in his hand referred, and, therefore, he should content himself by simply stating, that the petitioners prayed, that the principle of the Bill might be applied to the amount of population at the present time, and not to the amount of population in 1821. In 1821 there was a population in the borough of Great Bedwin of 1,928 persons, and, at the present time, according to the census recently taken, Great Bedwin had a population of 2,191 persons. He understood it to be the intention of an hon. Member to move, that it be an instruction to the Committee on the Bill, that the boroughs inserted in schedule A and schedule B be considered with regard to their population according to the last census,

and not that taken in 1821, and, therefore, he should defer offering any remarks upon the case of the petitioners until that motion was under discussion. He should now content himself with moving, that the petition do lie upon the Table. He must, however, state, that the petition had been intrusted to him in consequence of the indisposition of the right hon. Member for the borough from whence it came.

The petition to lie on the Table.

The Order of the Day for the House resolving itself into a Committee on the Reform (England) Bill having been read,

Lord John Russell moved, that the Speaker "do now leave the Chair."

On the question being put,

Mr. *Mackinnon* said, that in rising upon that occasion, it was not his intention to take advantage of the opportunity which it afforded him to address the House at any considerable length. Upon the general merits of the Bill he should then say nothing, but he should adhere closely to the subject concerning which he had intimated his intention to submit a motion. His intention was, to propose, that the census just completed, that of 1831, should be taken for the criterion with respect to the population of the boroughs in schedule A and schedule B, instead of the census of 1821. And he must say, that he thought he was entitled to some attention upon the subject, for neither he nor any of his family were interested in any of the close boroughs, and therefore he had a fair claim to credit for impartiality. He came not forward as pledged to support or to resist any particular measure, without a reference to its merits or its defects, but he came forward, as an independent Member of Parliament, to use his best endeavours to secure justice to the community. The noble Lord had laid it down as a principle—in the justice or wisdom of which principle he did not agree—but the noble Lord had laid it down as a principle, that a borough with a population of 2,000 persons should be entitled to send one Member to that House, and that a borough with a population of 4,000 persons should be entitled to send two Members to that House. That being the case, he begged to ask the noble Lord, how he could be said to act fairly and truly upon that principle, if he took the amount of population from a census made several years ago? That such a proceeding was unjust must be evident upon a moment's reflection. For

instance, taking the actual present population of the different boroughs, it would be found, that there were no less than six boroughs which, being tried by the noble Lord's test, would be removed from schedule A to schedule B; four boroughs which would be taken out of schedule B, and receive the full complement of Members; and one or two boroughs which would be removed from schedule B to schedule A. He therefore contended, that if the acknowledged principles of the Bill were to be fairly and steadily acted upon, the census of the present year ought to be adopted as the criterion of population, instead of that of 1821. If the contrary course was pursued, if the census of 1821 was acted upon, the law framed upon that criterion would be an *ex post facto* law, and therefore, if upon no other ground, still upon that ground confessedly most objectionable. If he understood the meaning of the phrase *ex post facto* law, it was this—that a law had reference to facts which transpired before its enactment, and such a reference as legally to affect the parties to those facts. An *ex post facto* law was, in fact, in its operation retrospective; and such a law would this Bill become, if enacted as at present proposed. Now he begged the House to consider the injustice and danger of such a proceeding. Suppose, for example, to illustrate the danger of such a principle being acted upon, the noble Lord was to carry a measure, making twenty-two years of age the legal majority instead of twenty-one years of age, and imposing a fine upon every person who acted contrary to such a provision, how unjust it would be, to give such a law a retrospective operation. Again, the noble Lord might make a militia ballot law, rendering every person liable between the ages of twenty and forty years, but surely it would be monstrous for the noble Lord to turn round and say, this law is applicable to the ages of persons fifty years ago. The principle of retrospective law was so absurd, so tyrannical, and so contrary to every principle of equity and justice, that no Minister or individual ought ever to sanction it in any manner. Really the principle was so monstrous that it was not possible, he should imagine, for any person to defend it. But he supposed the noble Lord would attempt to adopt the census of 1821 on the ground of expediency; but what an argument was that! Did the noble Lord mean to say, that he

could not wait till the census of 1831 was ready. Was he afraid the zeal of the people would cool? And yet the noble Lord, and the Gentlemen opposite, asserted that the country was with them, the Parliament with them; and they possessed the whole power of Government, and yet were afraid of the short delay of ten days or a fortnight for the purpose of being enabled to take the last census. Would such haste in forming a new Constitution look well in the eyes of the people of England, of Europe, of the civilized world? What could they think of a measure which commenced with injustice and ended with the spoliation of private property? Another argument for preferring the census of 1821 to that of 1831 was, that the latter would be partial, being taken under the impression that it might influence the elective franchise. But was the noble Lord, or any of the Gentlemen on his side, serious in making such a statement? Did they not perceive they were casting a libel on all the returning officers by whom the census was taken? If those parish officers and others were so venal, and so easily induced to violate their oaths and perjure themselves, what would be the case when the 10^l. voters of the noble Lord came into operation? What perjury and corruption would then take place, if it had already begun in such a degree in taking the census! He was aware the noble Lord could not answer the arguments made use of; he defied him and the Gentlemen opposite to do so, and was satisfied that the only answer he should get would be like the answer given by Cardinal Ximenes to a Member of the Spanish Cortes. That Cardinal, when Minister of Charles 5th in Spain, being determined to destroy the Constitution of the Cortes, by admitting into that assembly some deputies from the rabble of a few towns in Spain, being remonstrated with by a Member of the Cortes, perhaps as humble an individual as the one who had now the honour of addressing the House, took him to a window, and shewed him a body of well-disciplined and well-equipped, troops ready to obey his commands. In the same manner the noble Lord would point to his well-disciplined, obedient, and powerful majority, and say that was his answer. The hon. Member concluded by moving "That the House do instruct the Committee to take the census of 1831, instead of 1821, for regulating the population returns of the

boroughs included in schedule A and schedule B.”

Sir T. Fremantle seconded the motion.

Lord John Russell thought it unnecessary for him to say many words on the subject before the House, because he considered, that after the House had consumed four days on the question of going into a Committee on the Reform Bill, and had already made some progress in that Committee, the hon. Member was too late with his motion. He concluded, from the various divisions which had taken place, that the House was ready to take the census of 1821. The reason why he thought that census ought to be used in preference to the census of 1831 was this—the House would recollect, that the Reform measure was brought forward in the beginning of March last, and the latest census which the Government could then make use of was the census of 1821. That document, therefore, was the only sure document with respect to population which they possessed. If the Government had chosen to wait for a new census, they might have taken that of 1831; but such a course would only have led to an alteration of the line of disfranchisement. He considered, that much inconvenience would result from the House acting upon the census of 1831; and the only advantage which the House could gain was, to see that while some boroughs had increased others had decreased in population. On the other hand, it was to be considered, that the census of 1821 was taken without any knowledge that it was to form the test of disfranchisement, and might, therefore, be considered as an impartial document. But what would be the result if the census of 1831 was taken as the test? Those boroughs, where no sort of fraud or management was practised, would suffer; while those in which management had prevailed, by sweeping a number of persons into them, would be gainers, in consequence of the statement which Ministers had published, that 2,000 was to be the line of disfranchisement. He, therefore, thought, that the House would be of opinion, that it would be better to proceed in the manner in which they had already begun.

Mr. George Banks said, he could not think that the objections offered by the noble Lord to the motion of his hon. friend were such as would induce the House to reject a proposition evidently founded in justice

and common sense. Admitting the principle laid down by the noble Lord, with respect to the amount of population which ought to entitle a borough to return a Member to that House to be entirely correct, there were such objections, such obvious and strong objections, to proceeding with the Bill upon the criterion at present acted upon in it, that he could not imagine, that any hon. Member could be so pledged and bound and fettered as to reject the motion of his hon. friend upon the suggestion of the Government. The reasons in support of the instruction were so unanswerable—[*Cries of “No, no,” in which Lord G. Lennox took a prominent part.*] Hon. Members might say, “No, no,” for the purpose of interruption; and such a course of proceeding was not very unusual, particularly with the hon. member for Sussex. But he must tell that hon. Member, that in pursuing it he was extremely irregular: and he must also tell him, that having had a seat in that House in a former Parliament, he had not that excuse to offer which other hon. Members might have, who had entered the House this Parliament for the first time. And to this he must add, that all the interruptions of the hon. member for Sussex would not deter him from doing his duty, or from offering those remarks to the House which he believed the interests of the public required. With respect to the motion of his hon. friend, especially as it would affect the case of the borough of Great Bedwin, from which place he had that evening presented a petition, he must say, that although it was true the House had been occupied four nights in discussing the principle of the Bill, it was also true, that the instruction could not have been moved at a more fitting moment than that chosen. The question had been most properly brought forward, this being the very period at which the House was called upon to act upon the principle laid down by the framers of the Bill. According to the census of 1821, the borough of Great Bedwin fell short in population of the required number by one hundred; but now, in the present year, in the year in which they were called upon to legislate, Great Bedwin had a population of 2,191 persons. There could not, therefore, have been a more opportune or fitting occasion for the motion of his hon. friend, and if it had been offered at an earlier period, it would have been open to the charge of

having been made for the purposes of delay and vexation. Let the Bill pass as it might, more or less restricted, he apprehended no one would say, that the question now mooted was not one which deserved consideration. It was impossible to conceive, that persons situated as the electors of Great Bedwin were, with others similarly circumstanced, could feel satisfied with a measure which disfranchised them under an arbitrary and false line of population. He did not say, that the noble Lord had gone back to the census of 1821 for the purpose of disfranchising Great Bedwin, and other boroughs similarly situated; but the noble Lord had gone back, and the consequence was, the disfranchising of those boroughs. The House had heard, in the course of the debates upon the Bill, of the Constitution of America, and of other countries, that were based on population. If the adoption of the population census as a criterion was taken from America, he hoped the merits as well as the defects of that principle would be had recourse to. In America, he believed, a census was taken every ten years, and the representation was altered in accordance with the alterations in the population. And such a proceeding was absolutely necessary in a country like America, where population was increasing with such extraordinary rapidity. Indeed, no popular Government could proceed upon any other basis. In a country like America, where towns were suddenly springing up in the midst of wilds, and in the hearts of forests and of morasses, it would be impossible to satisfy the people without acting upon such a principle. Nor would the people of this country be satisfied, the amount of population being adopted as a criterion, without the Representation being occasionally reviewed, with reference to that amount. But above all, it was impossible the measure should give general satisfaction, if at the very outset the Legislature was content to act upon a population-return of ten years ago, in preference to a population-return made in the very year the measure was proposed. He therefore submitted to the noble Lord the propriety of acceding to the motion, for the purpose of satisfying the public, and allaying those heart-burnings and discontents which must necessarily result from the census of 1821 being acted upon. He was quite ready to admit that, looking at the case in this

way, it would be necessary not only now to review the measure, but from time to time to review and alter the Representation, for the purpose of meeting the feelings and the wishes of the people, and the altered circumstances of the country with respect to population. He submitted these observations, not in the spirit of a convert to the principle of the Bill, for they were with him arguments against that principle, but to shew that, if the measure was to be passed as a satisfaction to the people, the motion of his hon. friend ought to be adopted. He knew there might be some hon. Members who would cavil at these observations, and say they were made for the purpose of delay. Now that was a charge which he had no wish to incur; but if it should be made on this occasion, it was one from which he would not shrink, for he was conscious, that in making them he had only and sincerely done his duty. He did not understand the principle upon which hon. Members acted, who said, at different times, that they objected to many of the details of the Bill, and yet supported that Bill against all amendments. The hon. member for Colchester, for instance, had said, that there were many things in the Bill exceedingly objectionable, and contrary to the principles intended to be enforced; and that being the case, he should like to hear from that hon. Member, upon what ground he refrained from proposing the amendments and alterations which appeared to him desirable. The noble Lord, who dealt very freely with the elective franchise, would not deny, that the exercise of it was a privilege dear to the people; indeed the noble Lord was desirous of extending the exercise of the franchise; and this being the case, he was at a loss to understand how it could be supposed, that the rejection of the motion of his hon. friend would conduce to the great object of the Bill, namely, the satisfaction of the people. The noble Lord and the supporters of the Bill, would see, that his observations were consistent with the principle of the Bill, and not in opposition to it. The petition from Great Bedwin was not only from the voters in that borough, but from the inhabitants at large; and looking at the professions of the noble Lord, he could not but conclude that the noble Lord would be desirous to give them every satisfaction. The instruction conflicted in no way with the

principle of the Bill, and he could not conceive, that hon. Members had so completely bound and fettered themselves by any pledges or any promises as to preclude them altogether from exercising their judgment, especially when they were called upon to do that, for the purpose of giving full and satisfactory effect to the principle of the Bill. Great Bedwin was not a manufacturing town, but was situated in the heart of a rich agricultural country, and, therefore, no objection could be taken to it upon the ground that its returning a Member would prove injurious to the agricultural interest. That was one consideration in favour of its claims; and another, and one which ought to weigh much with the noble Lord, was the fact, that the number of electors in that borough, instead of having decreased, had increased. In 1821 the number of electors was eighty, and now it was 120. Most of those electors were taken from the middle classes of society; some were labourers, and a few were members of professions. And here he must remark, that he had been astonished to hear the hon. and learned member for Kerry state one of the great merits of the measure to be, that it disfranchised no parties. That hon. and learned Gentleman must have spoken in comparison; but he must be allowed to tell that hon. and learned Member, that the feelings of a small number were not the less acute because the number was small. But the truth was, that the number of the lower classes, who by this Bill, as it at present stood, would be disfranchised, was not so very small. In all boroughs where burgage tenure had hitherto given the right of voting, the effects of the Bill would be bitterly felt. Great Bedwin was one of the most ancient boroughs in the kingdom. It returned Members to Parliament in the reign of Edward 1st, and, therefore, all the antiquarian learning of the noble Lord ought to tell in favour of the petitioners. Great Bedwin had sent Members to that House in all times; it had returned many persons who had greatly distinguished themselves, and it had never been convicted of, or even charged with, corruption. He knew, that the noble Lord said, the object of the Bill was not to punish; but he could not subscribe to the new doctrine upon the subject, as to whether the elective franchise was property or not. He was not prepared to

treat the claims of those who had so long exercised that franchise as of no value. To that new doctrine he could not subscribe, especially when he found a different doctrine maintained by all the great authorities in political matters. Before hon. Members adopted it, he would advise them, particularly the younger ones, to read over the Debates in the House of Lords in the case of Cricklade. In those Debates they would find the judgment of Lord Mansfield, of Lord Thurlow, and of Lord Loughborough, all against the new doctrine. Those distinguished authorities were opposed to each other in politics, but they all agreed in this great principle, that to meddle with the rights of an elector, except in a case of urgent necessity and offence being proved, was an act of the grossest injustice. With those authorities before him, he must be excused if he did not bend to the new lights upon the subject. Mr. Fox, too, held the same opinion, as was proved by his speeches respecting Shoreham and Aylesbury, and those opinions he maintained during his life. With respect to Mr. Pitt, he was aware that some passage had been quoted from the speeches of that great man, with a view of shewing that he justified the seizure of the elective franchise; but he (Mr. Bankes) contended, that the entire speeches of Mr. Pitt would produce a very different impression. Mr. Pitt's great caution entirely precluded the reformers of the present day from saying, that they followed in his steps. And who were the persons who opposed the modified and cautious doctrine of Mr. Pitt? Why Mr. Sheridan and the Whigs of that day, who contended for the inviolable right to the elective franchise of every party possessing it, unless such party forfeited it by misconduct. When Mr. Pitt proposed his scheme of disfranchisement, he accompanied it by a plan of compensation. [Mr. Alderman *Waithman* exclaimed "money, money?"] The hon. Alderman, the member for London, wished the House to know, perhaps, that he, the hon. Alderman, was in it, and not asleep. He would so far oblige the hon. member for London, as to announce to the House, that he was in the House, and actually not asleep—that although he (Mr. Bankes) had spoken for about a quarter of an hour, his speech had not operated on the hon. member for London, to use that hon. member's own expression, as a sudorific, but had actually

allowed him to continue perfectly awake. He had appealed to every Member who was not so bound and fettered as to be forbidden to exercise his judgment and discretion, and he was willing to believe, that the hon. member for the city of London was among the number of those who were still at liberty to act in this important matter, according to their conscientious conviction. He admired the intelligence and the spirit of the city of London, but he must say, he thought, if the reports abroad were correct, that a spirit of despotism was growing up among the elective body of that city, which he was astonished to find there, and which he was not less astonished to find submitted to. He admitted the great claims of the city of London to respect and to admiration, and he did so freely and unhesitatingly, in order to render unnecessary any repetition of the lecture which had been read so strangely to the hon. member for Newport. Much, however, as he admired the conduct of the citizens of London upon many occasions, he could not forget, that in the time of Cromwell, 10,000 of them had signed petitions calling for the abolition of the bench of Bishops; and that, some ten years after, when Cromwell was feasted by the city, and his secretary remarked how popular the Protector and all his acts were, as was proved by the shouts of the citizens, Cromwell replied, "The citizens, ten years hence, would shout just as much to see you and me going up Holborn-hill to Tyburn." And time proved Cromwell to be no bad judge, for in ten years came the Restoration, and then the citizens of London became the loyal and loving subjects of a King. The interruption of the hon. Alderman would, he trusted, excuse him with the House for making these remarks. The hon. Member concluded, by repeating a summary of the case of Great Bedwin, and again appealing to the House for its support of the instruction, as it was in conformity with the professed principle of the Bill.

Mr. Alderman *Waithman* said, that after the notice which the hon. Member had taken of him, it would appear ungrateful on his part not to say a few words in reply. For some time before he interrupted the hon. Member, he perceived that what he was driving at was compensation ["No."]. Members might say No, but he said Yes. His interruption had

unfortunately induced the hon. Member to distress the House with a very desultory account of what had been done in the city on former occasions. The hon. Member had addressed all his observations to the principle of the Bill. He was wearied with these eternal discussions, and he believed that there was no man of common sense in the country who was not as well acquainted with the principle of the Bill as the hon. member for Corfe Castle. What did the hon. Member mean by expressing a hope that hon. Members had not given pledges which would prevent them from expressing a fair opinion with respect to the Bill? When the hon. member for Corfe Castle spoke of pledges—when he said, that those who voted for this Bill entered the House bound by pledges, did that assertion, supposing it to be well-founded, in any way invalidate the conduct of hon. Members? When a gentleman put forth an advertisement in a newspaper to his constituents, did he not, in that advertisement, pledge himself to pursue some particular line of conduct, and to support some particular principle? He had come into the House, because he had declared that he was favourable to Parliamentary Reform. He was, in consequence, triumphant, not only without influence, but actually against influence. He was sent to that House because his principles were well known. When at the last election he came forward, invited by a number of merchants, bankers, traders, and other respectable persons, he was not called upon for any pledge, because his past conduct and his straightforward principles were well known. His constituents well understood what his opinions were, and their knowledge of those opinions caused him to be elected to sit in that House. Was it, then, becoming—was it decent—for the Member who represented a rotten borough to say, that those who were sent from important places to sit in that House, came there under improper pledges—came there fettered and shackled? He would ask, were those who made such charges free from fetters—were they unshackled? He would remind the hon. Gentleman of what occurred to an hon. Colleague of his, on a recent occasion, when he was called to account—ay, and rightly called to account—for a certain proceeding in that House? Why was this? Because his hon. Colleague appeared in

that House to speak the sentiments of a large and intelligent constituency, while the hon. Member opposite came forward as the Representative of Corfe Castle. It was very unlikely, therefore, that he would be called to account. For his part, he was perfectly convinced of the urgent necessity of Parliamentary Reform, and in accordance with that feeling, he was determined to give his vote against the amendment proposed by the hon. Gentleman. Though he was in a delicate state of health, which had sometimes prevented him from attending the House recently, still he was proud to say, that he was present at those eight memorable and respectable divisions which took place a few mornings since, and had it cost him his life on that occasion, he would gladly have sat through such another night, to insure the success of this measure. Those who returned the hon. member for Corfe Castle, he would not dignify with the name of electors. They were no electors, for they had no freedom of will. And when the hon. Member spoke of compensation, he should be glad to know what he meant. Did he mean compensation to those poor individuals who were obliged to elect whomsoever might be proposed to them? No, the hon. Member meant compensation to the borough-proprietors, compensation to those who could nominate Members to sit for boroughs. Those individuals who preyed on the rights and properties of the public, the hon. Member would compensate, and no others. These parties wanted compensation, and why? Because they procured situations by means of that corrupt influence to which this Bill would put an end; and being deprived of that which they never ought to have enjoyed, they modestly called for compensation. These, however, were not private rights to be used for private purposes; but public rights to be exercised for the public good; and in such a case to talk of compensation was monstrous. When they saw twenty or thirty electors returning Members for Marlborough, while such places as Manchester and Birmingham were without Representation, he thought that it was the height of insolence and arrogance in the proprietors of boroughs to call for the perpetuation of such a system unless compensation were allowed to them. In his opinion, the whole of the topics which had been brought forward were mere matters of digression, involving a wasteful expenditure

of the time of the House, and intended solely to delay the measure. It was not his intention, originally, to have addressed the House, but he could not avoid doing so, in consequence of the personal observations which the hon. member for Corfe Castle had addressed to him, when an exclamation had involuntarily escaped him, on hearing the hon. Member advert to compensation. He hoped, if any farther attempts were made unfairly to delay the progress of the Bill, by long wire-drawn speeches, that the House would meet in future at ten o'clock each morning.

Mr. *George Bankes*, in explanation, said, that the hon. Alderman had wholly misunderstood him. The hon. Alderman asked what he (Mr. Bankes) meant by compensation? If the hon. Alderman, instead of interrupting him, had heard the whole of the sentence which he had so strongly attacked, he would have found, that so far from calling for compensation, he was contending that compensation was wholly out of the question.

Lord *G. Lennox* observed, that after the attacks which had been made on him by the hon. member for Corfe Castle, who had asserted that individuals had been sent into that House, so far fettered that they could not give an honest, and upright, and conscientious vote, he felt it to be his decided duty manfully to say "No" to that proposition. He would boldly assert, that he was no more fettered than was the hon. member for Corfe Castle. He was returned to that House by the free votes of a large and numerous constituency in the county of Sussex, while the hon. Gentleman was sent into Parliament by the bought voters of Corfe Castle. So long as the hon. member for Corfe Castle, rose to make attacks on him, he would most certainly repel them, and that, too, with all the indignation which he was sure every individual who then heard him would feel, if thus attacked themselves. He was not bound like the hon. Member, who had on that day, in Pall-mall, rivetted the fetters as strongly round about his arm, as he had previously done at the time of his election.

Lord *Althorp* said, it would be impossible for that House to come to a satisfactory conclusion, if the business were carried on in this irregular manner. With respect to the question immediately before them, his noble friend had specifically stated the grounds on which Ministers preferred the

census of 1821 to that of 1831. They wished, according to the census of 1821, to disfranchise certain insignificant boroughs, where the population was under 2,000, and he believed, that the returns of 1831 would not prove any of them not to be insignificant and inconsiderable. If, however, proof to the contrary could be given, it might be adduced, in considering each borough of the Schedules.

Mr. *A. Trevor* contended, that the population throughout the country had increased in a great degree since the census of 1821; and therefore the last returns, not those made out ten years ago, ought to be adopted. He was convinced, that if this were not done, great discontent and dissatisfaction would be felt throughout the country. It was not denied, that in some places belonging to Schedule A, the population had so greatly increased since 1821, that they now contained more than 2,000 inhabitants. Ministers had themselves acted on this conviction, for they had transferred boroughs from one schedule to another, and Truro, which had been in schedule B, had been altogether removed. Where population had diminished, they had also acted accordingly. The noble Lord had stated, that the census of 1821, was taken to prevent any charges of unfairness or partiality. He did not think it was acting fairly to take those returns as a guide. For his part, he entirely agreed in the reasoning of the hon. member for Corfe Castle, which, as it appeared to him, went to this point—that no pledge ought to bind hon. Members from giving due and serious consideration to the proposition before the House. In taking this course, his only object was, to benefit his constituents and the country at large.

Mr. *C. Douglas* expressed himself in favour of taking the census of 1831, instead of that of 1821. A reference to the large county which he represented (Lanarkshire), would show that the latter returns were inapplicable to the present time. A single town and its neighbourhood had increased in population, since 1821, to the amount of more than 50,000 persons; and another more than 30,000. They ought, therefore, to take the latest and most correct data, when they were about to legislate upon such important subjects.

Mr. *Praed* said, the proposition before the House was so plain and clear, and it was founded on so just a basis,

that he could not but wonder it should have given rise to any debate whatever. It was most extraordinary that the House should be called on to shut its eyes to the important and essential fact of what had occurred with respect to the population during the last ten years. This was so plain a point, that he would not dilate further on it, but would shortly address himself to the very few arguments which had been advanced against the motion. It was said, that it would be inconvenient to accede to the motion, because it might cause a change in the whole basis of the Bill then before the House. Some months ago that Bill was introduced, and he could see no reason in refusing the present motion, because there would be trouble in applying the measure to a new set of data. Was it possible, that they could be induced to overlook the occurrences of ten whole years as to the increase of the population, on account of any difficulty that might exist in adapting a new set of data? He could not conceive it possible, that his Majesty's Ministers were incapable of getting the necessary information on this subject. It was next asserted, that by taking the returns of 1831, some partial unfairness would probably be committed. But, supposing the returns of 1831 to be partially unfair, was it not better to prefer them to those of 1821, which were universally inapplicable? Were they, because the returns of 1831 might here and there be erroneous, to take those of 1821, which were uncertain in every single case? Next, it was asserted that these motions were solely made for the purpose of creating delay and gaining time. He did not think it worth his while to answer such an argument. At the same time he would say, that when a measure was introduced, of which he entirely disapproved, he did not exactly know how far his desire to preserve parliamentary decorum ought to arrest his efforts in endeavouring to prevent its completion. Unquestionably those who were opposed to it had a right to go to the end of their tether in endeavouring to defeat it. He knew, that those who did so might destroy their characters in certain quarters—they might destroy that influence which they had previously possessed—but he felt that a really good measure would always be approved of by honest and discerning men; and in his opinion, it was fair to defeat a bad one by every means within the reach of its opponents. If that fanciful fo-

reigner who had been so often referred to in the earlier part of these debates, should mark the extraordinary course which they were now pursuing, he would be very apt to say, that great as might be our skill in art, science, and literature, we had, with reference to legislative wisdom, much, very much to learn.

The House then divided, when the numbers appeared as follows; Ayes 169; Noes 244—Majority against the Motion 75.

List of the Majority.

Adam, Admiral C.	Dixon, J.
Adeane, H. J.	Doyle, Sir M. K. C.
Aghew, Sir A.	Dundas, C.
Althorp, Viscount	Dundas, Sir R. L.
Astley, Sir J. D.	Dundas, J. C.
Bainbridge, E. T.	Easthope, J.
Baring, Sir T.	Ebrington, Lord
Belfast, Earl of	Ellice, E.
Benett, J.	Ellis, W.
Bentinck, Lord G.	Etwall, R.
Berkeley, Captain	Evans, Colonel
Bernal, R.	Evans, W. B.
Bernard, Thomas	Evans, W.
Blake, Sir F., Bart.	Ewart, W.
Blamire, W.	Ferguson, Sir R.
Blankney, W.	Ferguson, R. C.
Blunt, Sir C.	Fitzgibbon, R. H.
Bodkin, J. J.	Foley, T. H.
Bouverie, Hon. D. P.	Folkes, Sir W. J.
Boyle, Hon. J.	Foster, J.
Brayen, T.	Graham, Sir J. R. G.
Briscoe, J. I.	Graham, Sir S.
Brougham, W.	Grant, C.
Brougham, J.	Grant, R.
Browne, J.	Grattan, J.
Browne, D.	Greene, T. G.
Brownlow, C.	Grosvenor, Hon. R.
Buck, L. W.	Hawkins, H.
Buller, J. W.	Handley, W. F.
Bulwer, E. E. L.	Harcourt, G. V.
Bulwer, H. L.	Harty, Sir R.
Bunbury, Sir H. E.	Harvey, D. W.
Burke, Sir J.	Henage, G. F.
Buxton, T. F.	Heywood, B.
Calvert, Nicholson	Hobhouse, J. C.
Carter, J. B.	Hodges, T. L.
Cavendish, W.	Hodgson, J.
Chapman, M. L.	Horne, Sir W.
Chaytor, W. R. C.	Hort, Sir W.
Chichester, Sir A.	Hoskins, K.
Chichester, J. B. P.	Howard, W.
Clive, E. B.	Howard, P. H.
Cradock, S.	Howard, R.
Crampton, P. C.	Hudson, T.
Creevey, T.	Hughes, J.
Cunliffe, O.	Hughes, W. H.
Currie, J.	Hume, J.
Curteis, H. P.	Hunt, H.
Davies, T.	Hutchinson, J. H.
Dawson, A.	Innes, Sir H.
Denison, J. E.	James, W.
Denison, W. J.	Jephson, C. D. O.
Denman, Sir T.	Jerningham, H. V. S.

Johnston, A.	Phillips, G. R.
Johnstone, Sir J. V.	Ponsonby, Hon. G.
Johnstone, J. J. H.	Power, R.
Kennedy, T. F.	Poyntz, W. S.
King, E. B.	Protheroe, E.
King, Hon. R.	Ramsden, J. C.
Knight, H. G.	Rice, T. S.
Knox, J. H.	Rickford, W.
Labouchere, H.	Rider, T.
Lamb, Hon. G.	Ridley, Sir M. W.
Lambert, H.	Robarts, A. W.
Langston, J. H.	Robinson, Sir George
Lawley, F.	Robinson, G. R.
Leader, N. P.	Rooper, J. B.
Lee, Lee	Ross, H.
Lefevre, C. S.	Rumbold, C. E.
Legh, T.	Russell, Lord J.
Lemon, Sir C.	Russell, Lord W.
Lennard, T. B.	Russell, John
Lennox, Lord W.	Ruthven, E. S.
Lennox, Lord J. G.	Sandford, E. A.
Lester, B. L.	Schonswar, G.
Littleton, E. J.	Scott, Sir E. D.
Loch, James	Sebright, Sir J.
Lopez, Sir R. F.	Skipwith, Sir Gray
Lushington, Dr.	Slaney, R. A.
Maberly, W. L.	Smith, J. A.
Maberly, J.	Smith, R. V.
Macaulay, T. B.	Smith, Hon. R.
Mackenzie, J. A. S.	Spence, G.
Mackintosh, Sir J.	Spencer, Hon. Capt.
Mangles, J.	Stanhope, Capt. R. H.
Marjoribanks, S.	Stephenson, H. T.
Marryatt, J.	Stanley, J.
Marshall, W.	Stanley, E. G. S.
Martin, J.	Stewart, Sir H.
Maule, Hon. W.	Stewart, P. M.
Mayhew, W.	Strickland, G.
Milbank, M.	Strutt, E.
Mildmay, P. St. John	Stuart, Lord P. H.
Mills, John	Stuart, Lord D. C.
Milton, Viscount	Tavistock, Marquis
Morpeth, Viscount	Thickness, R.
Morison, J.	Thompson, Wm.
Mullins, F.	Thompson, P. B.
North, F.	Thomson, C. P.
Norton, C. F.	Tomes, J.
Nowell, A.	Torrens, Col. R.
Nugent, Lord	Trowbridge, Sir E. T.
O'Connell, D.	Tufton, Hon. H.
O'Connell, M.	Tynte, C. K.
O'Grady, Hon. Col. S.	Tyrell, C.
Ord, W.	Venables, W.
Ossory, Earl of	Vere, J. H.
Palmer, General	Vernon, G. J.
Palmer, C. F.	Vernon, G. H.
Parnell, Sir H.	Villiers, Frederick
Payne, Sir P.	Vincent, Sir F.
Pelham, C. A. W.	Waithman, R.
Palmerston, Viscount	Warburton, H.
Pendarvis, E. W. W.	Warre, J. A.
Penlease, J. S.	Wason, W. R.
Penrhyn, E.	Watson, Hon. R.
Perrin, L.	Weyland, Major R.
Petit, Louis H.	Whitbread, W. H.
Petre, Hon. E.	White, S.
Phillips, C. M.	White, Colonel H.

Whitmore, W.
Wilde, T.
Williams, Sir J. H.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Colonel T.
Wood, J.
Wood, C.

Wood, Mr. Ald.
Wrightson, W. B.
Wrottesley, Sir J. B.
Wyse, T.

TELLERS.

Duncannon, Viscount
Tennyson, C.

List of the Minority.

A'Court, E. H.
Alexander, J.
Antrobus, G. C.
Arbuthnot, Hon. Col.
Arbuthnot, G. H.
Archdall, M.
Ashley, Lord
Ashley, Hon. J.
Atkins, J.
Attwood, M.
Baldwin, C. B.
Balfour, J.
Banks, W.
Best, Hon. W. S.
Blair, W.
Brecknock, Earl of
Brogden, J.
Bruce, C. C. L.
Brydges, Sir J.
Buller, Sir A.
Burge, W.
Burrard, G.
Buxton, J. J.
Capel, J.
Chandos, Marquis of
Cholmondeley, Ld. H.
Clerk, Sir G.
Clive, R. E.
Clive, Henry
Cockburn, Sir G.
Cole, Lord
Conolly, Colonel
Cooke, Sir H. F.
Coote, Sir C. H.
Croker, J. W.
Cumming, Sir W.
Curzon, R.
Cust, E.
Davidson, Duncan
Dawkins, J.
Dawson, G. R.
Domville, Sir C.
Douglas, Hon. C.
Douglas, W. R. K.
Dourò, Marquis of
Dowdeswell, J. E.
Drake, T. T.
Drake, W. T.
Dugdale, W. S.
Dundas, R. A.
East, J. B.
Eliot, Lord
Encombe, Lord
Estcourt, T. G. B.
Fane, Hon. H. S.
Ferrand, W.
Forbes, Sir C.

Forrester, Hon. C.
Fox, S. L.
Fremantle, Sir T.
Freshfield, J. W.
Gordon, Hon. Cap. W.
Gordon, J. E.
Goulburn, H.
Graham, Marquis of
Grimston, Lord
Grant, Sir C.
Grant, F. W.
Handcock, R.
Harris, G.
Herbert, E. C. H.
Herries, J. C.
Hodgson, F.
Holdsworth, A. H.
Holmesdale, Visct.
Holmes, Wm.
Hope, H. T.
Hope, J. T.
Howard, F. G.
Hulse, Sir C.
Inglis, Sir R. H.
Jenkins, R.
Jermyn, Earl of
Jolliffe, Sir W.
Jolliffe, Colonel H.
Jones, T.
Kearsley, J. H.
Kemmis, T. A.
Kenyon, Hon. L.
Kerrison, Sir E.
Knight, J. L.
Knox, J. J.
Lascelles, Hon. W.
Lee, J. L.
Lefroy, Dr. T.
Lefroy, A.
Lewis, T. F.
Lovaine, Lord
Lowther, Hon. H.
Lowther, J. H.
Luttrell, J. F.
Lyon, D.
Lyon, W.
Mackillop, J.
Mahon, Viscount
Maitland, Viscount
Maitland, A.
Malcolm, Sir J.
Mandeville, Viscount
Maxwell, H.
Mexborough, Earl of
Meynell, H.
Miller, W. H.
Mount, W.

Murray, Sir G.
North, J. H.
Pearse, J.
Peel, Sir R.
Peel, W. Y.
Peel, Edmund
Pelham, J. C.
Pemberton, T.
Perceval, Colonel
Perceval, S.
Phipps, E.
Pigot, G. G. W.
Pollington, Viscount
Porchester, Lord
Praed, W. M.
Price, R.
Pringle, A.
Rae, Sir W.
Rochefford, G.
Rogers, E.
Ross, C.
Ryder, G. D.
St. Paul, Sir H.
Scarlett, Sir James
Scott, Sir Samuel
Severn, J. C.
Shelley, Sir J.
Sibthorpe, C. D. W.

Smith, S.
Smith, A.
Somerset, Lord G.
Stewart, C.
Stormont, Viscount
Sugden, Sir E. B.
Trench, Colonel
Trevor, Hon. A.
Tullamore, Lord
Valletort, Viscount
Vaughan, Sir R.
Villiers, Lord
Vyvan, Sir R.
West, F. R.
Wetherell, Sir C.
Weyland, J.
Williams, R.
Wortley, Hon. J. S.
Wrangham, D. C.
Wyndham, W.
Wynn, Sir W. W.
Wynn, C. W. G.
Wynne, J.
York, Joseph

TELLERS.
Mackinnon, C.
Banks, G.

The House then went into a Committee on the Reform Bill, Mr. Bernal in the Chair.

On the question being put, that the borough of Appleby stand part of the clause,

Lord Mailland said, that so much had been already stated on the subject of this borough, that he would not trouble the House with many observations on the question, beyond those which had been slightly touched on in the course of the former discussions. In the borough of Appleby the right of voting was by burgage tenure, and the borough extended over a considerable portion of the two parishes of Appleby St. Lawrence, and Appleby St. Michael. The jurisdiction of the Mayor and Corporation was, however, acknowledged in the whole of the two parishes, and all licenses were granted under their authority. He was able to prove these facts to the satisfaction of the House, and being sure, that the population of these two parishes amounted to some hundreds more than the number of total disfranchisement, he thought he was doing his duty to the House and to the inhabitants of the borough, by moving that Appleby be taken out of schedule A, and placed in schedule B.

Lord John Russell was of opinion, he should be able to satisfy the House that the borough of Appleby had not been unfairly treated, by being placed in schedule

A rather than in schedule B. The Government had endeavoured to render the line they felt it necessary to draw, as fair as possible; but there were some boroughs in which it happened that the borough and the parish were so placed together, that they found themselves unable to adhere rigidly to their original intentions. During the last Parliament it was represented to them, for instance, that the Members for the borough of Buckingham were Members also for the parish in which Buckingham is situated; and they, therefore, found it necessary to admit the population of the parish to be included. So also, upon inquiry, it was found that Tamworth, and one or two other places, could plead the same ground of exception, and their claims were allowed. It was extremely difficult, the House must see, to draw a perfect line; but there was a material difference between the case of a borough which formed the principal part of a parish, like Buckingham, and a borough which extended into two parishes, like Appleby. The House would at once see, that there was a material distinction in the preservation of the line between a borough which comprised two parishes, and a borough which extended into two parishes. Whenever any great abuse of the principle could be pointed out, the Government were anxious to acknowledge and rectify it; but he thought the House would agree with him, when they heard the real facts of the case, that Appleby was not entitled to be excepted. If he was rightly informed, the state of Appleby was this: the burgh extended into two parishes—one part of it was composed of a portion, but not the whole, of St. Lawrence, and the other extended into St. Michael's, otherwise Bongate, a very large parish, going in one direction from the borough seven or eight miles, and being altogether fifteen miles long. He thought, therefore, it would be a very great abuse of the principle on which they proceeded, if they permitted a borough of this kind to claim to be excepted on account of the parish in a part of which it happened to be situated, and joining as it did a small part of one, and not comprising within its boundaries the whole of the other. As early as last January, the Mayor of Appleby, being applied to by the Government to answer certain questions with respect to the burgh, wrote a reply to the Secretary of State, to say that "the return of 1821 did not state the

population of the parishes, but of the burgh, some part of which extended over the parish of St. Michael, and the remainder of which was in St. Lawrence; but as the boundaries had not been perambulated in the memory of man, it was not in his power to state positively what they were." It would be found, from the returns of 1821, that the population of that part of the borough which was in St. Lawrence amounted to 824, while St. Michael's had 108, making 932. But by the return in the papers just laid on the Table, including the letter from the Mayor, it appeared that the population of the borough in St. Lawrence was 851, and in St. Michael's, or Bongate, 203, making 1,054; and it appeared also, that the county gaol was situated in the borough; and that there were in it eighteen prisoners. He did not think it necessary to make any allusion to the number of 107 householders which were to be found in the borough, because it was not expedient to take them into account, in considering the situation of a borough which did not come within that line of population which they conceived requisite to establish a qualification for the enjoyment of the elective franchise. He did not, however, think, that Appleby had any good right to complain of the decision of Ministers, as the right of its inhabitants had been one of mere burgage tenure, and the borough itself had been for a long time a nomination one, at the disposal of two noble Lords, Members of the other House of Parliament. No hardship, therefore, could be done, except to those two individuals; and they would merely be deprived of a right which they ought never to have enjoyed—the borough itself being, from its size, excluded from claiming exemption from disfranchisement. He conceived, therefore, from what he had stated, that the justice of the case had been fully proved, and that as no serious doubt could be entertained with respect to the population of the borough, he hoped the Committee would require no further evidence to declare, that Appleby must stand part of the clause.

Mr. Croker said, there was one expression fell from the noble Lord in the course of his speech which gave him the greatest satisfaction. That word was "justice." The noble Lord appealed to the justice of the case. That appeal he seconded most cordially; and he would say more, that if

any Gentleman in that House had a doubt of the justice of the claims of Appleby, he did not lay claim to his vote. He rested on the justice of the case, and not on its expediency or its policy. Before, however, he touched on the question of Appleby, he entreated the noble Lord's attention to a question of some importance which he wished to put to him. The Population Returns of 1831 were most valuable, because they exhibited the population of the boroughs and the parishes distinct from each other. Those returns were not, however, entirely made up; but, perceiving the population of Calne, contrary to the general rule, to be lumped together as borough and parish, he begged to ask the noble Lord, if he possessed any return which distinguished the population of the borough and the parish, and what was the distinction?

Lord *John Russell* rose, but several Members on the Ministerial bench called out "Don't answer." The noble Lord, however, said, in a low tone, that he knew nothing about Calne except what he found in the papers on the Table, which were signed by a person of whom he knew nothing. Those papers, he believed, were placed there on the motion of the right hon. Gentleman himself.

Mr. *Croker* was surprised to hear, that the noble Lord had no information on this subject, and did not know the name of the person who signed the return, although that very return was produced by Ministers as an additional justification of their Bill. If the noble Lord had not directed his attention to Calne, after it had been so particularly called to it, why, in the name of justice, was he so learned on the subject of Appleby? Why was the noble Lord able to define to them the boundaries of St. Michael and St. Lawrence, and to point out the situation of the county gaol in the borough of Appleby, and yet avow himself in utter ignorance of any thing connected with the much-questioned borough of Calne?

Lord *John Russell* said, he had made no inquiries with respect to any of the boroughs. He took the population as he found it in the returns; and if he possessed any information on the subject of Appleby, it was derived from the statements furnished at the request of the hon. Member opposite.

Mr. *Croker* observed, that the noble Lord's candid and just friends on the other side had counselled him not to give any re-

ply to his question, and yet the noble Lord had already attempted two, but had unfortunately left the matter just as he found it. The course pursued with respect to Calne appeared to him the result of gross ignorance, or of blind partiality. Speaking in all honour and sincerity [*cheers from the Ministerial side.*—] Did the other side object to the language of honour and sincerity?—He would say again, speaking in all honour and sincerity, that he believed the noble Lord had taken his line with respect to Appleby in utter ignorance of the real state of the case; he believed, that the noble Lord had been misled by the mention of the name Bongate, and that he had no idea, when he saw Bongate mentioned in the return, that under that name lurked the parish of St. Michael's Appleby. This was, indeed, evident, from the course adopted throughout by the noble Lord with reference to Appleby. When the noble Lord brought in the first Bill, he stated the population of the boroughs to be disfranchised, and among others he named Appleby as having a population of 824 persons. Now, this was exactly the number of persons inhabitants of the borough in one parish, the population residing in the other—that is, Bongate St. Michael's—being altogether passed over. The noble Lord, indeed, admitted himself, that he had passed over the other part, under the name of Bongate; for although he then stated the population to be 824, he now admitted the population of the other part to be near 400. There was, however, another point, of much greater importance, connected with the course pursued towards the borough of Appleby. In the Census of 1811, the population was classed according to towns and boroughs. In the Census of 1821, it was taken according to parishes. Now, if the noble Lord, when he selected the borough of Appleby for disfranchisement, had taken the trouble to turn to the population returns of 1811, he would have found the following entry:—"Appleby Borough—parish of St. Lawrence, parish of St. Michael's;" and then followed a return of population of these united parishes, stated together under the head of Appleby—and, would the House believe it?—in the year 1811, the population was large enough to carry the borough far beyond the noble Lord's line of disfranchisement. The noble Lord resisted every attempt to advance towards the population of the present day;

he insisted on taking the returns of ten years back; and how was it, then, when he found himself at fault with respect to the returns of 1821, that he never thought of looking back to those of 1811? But the noble Lord, to remedy these anomalies, had, it seems, recourse to some supplementary information. The noble Lord had called for this information to justify his proceedings, and now he had obtained it, what did it show? Why the noble Lord's inconsistency. The borough of Malmesbury stood originally in the schedule A; it did not happen to have the requisite amount of population, because the borough was separated, in the return, from the parish. It was at first returned as having a population of 1,300. The new returns, however, showed, that both Appleby and Malmesbury exceeded 2,000. What was done by the noble Lord upon this? Did he reject Malmesbury? Oh no! He granted the favour to Malmesbury, which, under the very same circumstances, at the very same time, and upon the very same principles, he refused to Appleby. Then there was the borough of Oakhampton; that was stated in the old return as having 1,900 inhabitants, but to the new papers there was appended a note, stating, that the entire parish contained 2,023 inhabitants. Upon that information the borough of Oakhampton was transferred from schedule A to schedule B, because it had twenty-three inhabitants over the requisite number; while Appleby, which had 600 more than the required number, was utterly banished from the number of represented boroughs. There was another case stronger even than this; it was the case of a borough which was kept in all the vigour of its elective franchise, and yet which, if justice was done, would be transferred to the schedule A, and Appleby must be placed in schedule B—it was the borough of Horsham. He particularly called the attention of the House to the case of this borough, while he informed them, that Horsham, which preserved its number of Members, was not entitled to that privilege in fact, and was only in a situation to retain it by another misapplication of the same rule by which Appleby was disfranchised. In the Census of 1821, the borough and parish of Horsham were returned as containing 4,570 Members. Oh, that is excellent! thought the noble Lord; but then, when he thought so, he omitted to notice what was stated

in a little note appended to the return, namely, that the parish of Horsham, in the population returns of 1811, was returned as consisting of three separate divisions. That note ought to have excited the noble Lord's attention, and especially he ought to have considered, that as Horsham was kept beyond the line by its three divisions, Appleby ought to be allowed the same advantage with its two divisions. This was the return in 1811:—"Horsham, the borough part, 1,774 inhabitants; and then two other divisions, the northern part containing 1,100 inhabitants, and the southern part 930, making altogether 3,800 inhabitants." Would any one tell him, that this was a case to be favourably distinguished from that of Appleby? In the one and in the other the population of the borough was less than 2,000; and in both was raised beyond the limit by the addition of the parishes, yet Horsham was to have its two Members, while Appleby was to be wholly disfranchised. The return went on to say, "The increase of the population in this parish (of Horsham) is to be attributed to the enclosure of 800 acres of waste land in the neighbourhood." That waste land could not be part of the borough, so that that excuse could not be set up in favour of Horsham; and it was evident, that if the distance of parts of the parish from the borough of Appleby was a reason for the disfranchisement of that borough, the distance of this waste land from the borough of Horsham was a reason why its population should not be taken into the account, in order to secure to that borough the possession of its elective franchise. What could be said to this by those who were pledged to support the whole Bill, and the whole mistakes of the Bill? The case was still more remarkable in the instance of the borough of Morpeth. That borough was at first placed in the schedule B. The population, according to the Census of 1821, was the line, the Rhodamanthine line, that was to govern the noble Lord. Still, however, the noble Lord admitted, that there were mistakes, and these were to be corrected; but we find, that these mistakes can only be corrected on one side of the question, not on the other. Is it not strange, that the corrections should be made in cases which seem to belong to the Whig interest, and that the errors, the same errors, should be allowed to operate in full force where the Tory interest was

supposed to prevail? By throwing in the parish in the case of Morpeth, though it was refused to be thrown in, in the case of Appleby, the population of Morpeth was increased to 4,130, and remained in the full enjoyment of its elective franchise; while Appleby, being in precisely the same situation, and with 500 more inhabitants than Morpeth, was to be utterly disfranchised. Men were sometimes put to sad shifts, when they were called on for money they could not pay, and so they were when they were called on for reasons they could not give—in that situation was the noble Lord. Surely he would not think of telling Appleby, that it was a mere nomination borough, the property of boroughmongers—all boroughmongers; or, if he did, would he not give the same answer to Tavistock? Why not to Malton? Why had he not made the same allusion to the borough of Calne—why had he not made it to every borough in schedule B, and to several other boroughs not in any schedule at all? It was not worthy of his candour to call one set of boroughs by an odious name, while he suppressed every offensive epithet to boroughs similarly circumstanced, if they happened to belong to his own friends. It was not worthy of the noble Lord to profess that Appleby was disfranchised, because it was a nomination borough when he preserved Malton, Calne, and Tavistock, to which the same title did not only now belong, but would, even if the Bill should pass, still belong, and in some instances, in a stronger degree than at present. The noble Lord had spoken of the extent of the parishes of Appleby, as affording some reason for not joining them to the borough. This argument also shewed a want of candour, equally unworthy of the noble Lord, as he professed to destroy the old rights, and to create a fresh franchise of the most extensive kind—so extensive,—that in some instances he must travel seven, ten, twelve—nay sixteen or seventeen miles from the borough to get it into operation. The noble Lord had dealt with different places in a different manner, under exactly the same circumstances. He put one borough into schedule B, and though precisely the same principle and the same circumstances applied to other boroughs, he continued them in schedule A. The noble Lord had almost said, that because the same facts were applicable to the borough of Appleby, therefore he

would not extend to that borough the same advantages. These were not, indeed, his expressions, but they were nearly so, and, if not the very words of his speech, they were, at least, in the spirit of his argument, and were in perfect consistency with the monstrous conclusion to which he had arrived. Whether the facts he (Mr. Croker) had thus stated would produce the impression he expected on the House, he could not say; but he thought that he had done enough to show every impartial mind, [*hear, hear,*] that the case of Appleby was one which imperatively called on the Ministry, even on their own principles, to change it from its present situation, and place it in schedule B.

Mr. Carter said, that the right hon. Gentleman opposite enjoyed the singular honour of continuing that strain of imputation on the motives of the Ministers, which had indeed been begun in the last Parliament, but which, except by the right hon. Gentleman, had not been repeated in this. He must confess, that, in his opinion, that strain of imputation was totally unwarranted by the facts. He asserted that the borough of Appleby was properly retained in schedule A. No man could look at the papers now upon the Table of this House, and not see, that by the census of 1821, the borough ought to be placed, where it was. According to the returns of 1821, some boroughs were placed alone, and in some the boroughs and parishes were united. The rule was clear enough, and the special cases were to be exceptions. Upon hearing the observations made upon the case of Appleby, he had at first believed that that borough, if properly returned as to its extent and population, included the parishes of St. Lawrence and St. Michael's; and that, by omitting to include the population of these two parishes, the return of 1821 had done injustice to this borough. But the people of Appleby themselves did not pretend to say, that the return was incorrect, and that that of 1811 ought alone to be depended on.

Mr. Croker had not intended to say that the return of 1811 was to be taken in preference to that of 1821.

Mr. Carter had so understood the right hon. Gentleman, and so must every one else. The return which he had looked into showed that the parish of St. Lawrence and the parish of St. Michael were only touched upon by the boundaries of

Appleby. The borough was not included in either of these parishes. When a borough was included in a parish the Government, properly enough, took the population of the parish as the standard, but they did not go into other parishes. The borough of Buckingham contained 3,465, inhabitants including the entire parish of Buckingham; and as the parish included the borough, the population of it was taken as the standard. It was precisely the same with the borough of Oakhampton, the population of which only amounted to 1,907; but the parish, which included the borough, contained 2,973, and was, therefore, taken to be entitled to one Member. It was the same with Morpeth, the single parish of which contained 4,792 inhabitants, although the borough itself was less populous; but then the borough was contained within one parish alone. The same was the case with Tamworth, as the right hon. Baronet opposite would be able to testify; and the same rule had brought the borough of Horsham within the benefit of the exception provided by Ministers. There was no inconsistency in this, and the facts on which the right hon. Gentleman opposite made his charge having been found insufficient, the imputations he superadded must certainly fall to the ground.

Mr. *Ridley Colborne* said, that with respect to the imputation of motives, he could fearlessly assert, that a noble personage, hitherto supposed to be the patron of the borough of Horsham, would gain no advantage from the change. He believed that he could no longer reckon on his seat being secure, through influence at least, for there were now two gentlemen canvassing that borough. He would say, however, that if ever there was a noble Lord who had willingly made personal sacrifices of political interest, it was the noble person to whom he alluded.

Mr. *H. Gurney* thought, that no reason had been adduced for not transferring Appleby to schedule B. Its population entitled it to such a distinction, for that population, from time immemorial, included the parish of St. Michael, as well as of St. Lawrence. There was a deed still in existence, under which a Lord of Appleby, in the reign of William 2nd, bestowed the church patronage of Appleby on the Abbey of York, in which deed the parishes of St. Michael and St. Lawrence were spoken of as part and parcel of the town-

ship of Appleby, with this distinction—that the former, that which the noble Lord entirely cut off, was made to take precedence of the latter, that which the noble Lord admits to belong to the borough.

Colonel *Davies* wished to deal justice impartially to the borough of Appleby, as well as to every other borough. What he wished to be informed of was, whether the limits of the borough and town were co-extensive. For his part he looked to substantial justice, which, he conceived, was only to be done by considering the limits of the town. As to Horsham, he confessed he thought that no case had been made out for giving it the elective franchise, but that, on the contrary, a case was made out for depriving it of the franchise. He was against admitting the rural population in any case, and submitted, that the constituency belonging to the boroughs themselves was the only question to be considered. He should be glad, therefore, if his noble friend (Lord John Russell) could inform him what was the population of the town of Appleby, without any reference to the limits of the borough.

Lord *John Russell* stated, in answer to the question of the hon. and gallant Member (Colonel Davies), that the parish of Appleby St. Lawrence contained 851 inhabitants, whilst the parish of Appleby St. Michael contained 203, making a total of only 1,054 in the town of Appleby. To make up the number of 2,600, stated as the amount of the population, it was necessary to go into the country parts, for the town contained nothing like 2,000 inhabitants. In applying the principle of the Bill, his Majesty's Government would have been glad, in many instances, to take the population of the towns only, but it often happened that the limits of the borough did not take in the whole town, and they were, therefore, obliged to take the population of the borough and parish together. In no instance, however, had the country parishes been given to a town, which was what was contended for in the present instance. As he was on his legs, he wished to say a word on the charge of partiality made by the right hon. Gentleman (Mr. Croker.) The right hon. Gentleman had alluded, with much humour, to Calne and Horsham having been taken out of the schedule, and being boroughs under Whig influence. The right hon. Gentleman had curiously picked out those

two Whig boroughs out of a great number. In fact, there were thirty other boroughs to which every one of his observations would have been applicable; but with great care and industry the right hon. Gentleman avoided a reference to those boroughs which were preserved, and were not Whig. He wished to convey an insinuation that those boroughs were spared, at the expense of justice, in which the Tory interest did not prevail. Now this insinuation he (Lord John Russell) heard with great good humour—he was not at all angry—for however deficient in official accuracy the statements of his Majesty's Ministers might be, the charges against them were so extravagant, that he felt they need not mind in the least the statements of the right hon. Gentleman. Even if these statements were left quite unanswered, the right hon. Gentleman could never succeed in persuading the House or the country, that there was one rule for the boroughs belonging to one party, and another for the boroughs of the opposite party. Whatever might be the defects of the Bill, it was a fair measure as regarded all parties.

Mr. *Croker*, in explanation, remarked, that he had not mentioned the case of Morpeth only. He had mentioned the cases of Malmesbury and Oakhampton, before he had said a word about the boroughs of Calne and Horsham.

Lord *Encombe* did not rise to make any charge of partiality against the noble Lord; he only rose to ask him to do that act of justice to Appleby, which he had, upon the application of its inhabitants, done to the borough of Truro. That borough contained only 1,800 inhabitants, and had therefore been placed, in the last Bill, in schedule A. The inhabitants had shown, that when the two other parishes in that town were taken into the borough, the population of that town was upwards of 6,000. The noble Lord had, in consequence of that information, taken Truro out of the schedules altogether. He trusted that the noble Lord would apply the same principle to the borough of Appleby. If he did, he must, on his own principles, transfer it from schedule A to schedule B.

Lord *Althorp* observed, that the case of Truro was not a case in point. The difference between the case of Truro and that of Appleby was this—the borough of Truro extended largely into two parishes,

and nearly the whole of the population of those parishes was contained within the limits of the borough, whereas in Appleby the borough extended but a very small way into two parishes; and the population, which was to save it from disfranchisement, dwelt not in the limits of the borough, but in the rural districts, at some distance from it. Ministers had admitted the rural population into the borough, where only one parish was concerned, but had never admitted it where two parishes were concerned. As to the charge of partiality, it could not be imputed to Ministers in this instance, for Appleby, as far as political influence went, was a neutral borough.

Sir *R. Peel* would assume, that the House had already settled, that the census of 1821 was to be taken in preference to that of 1831, and that all towns with a population under 2,000 were to be wholly disfranchised. He would therefore discard those two points from his argument, as points already settled. The question, then, for his consideration was, did the exclusion of Appleby from the elective franchise fall under the principles of the Reform Bill. He believed, that the facts of the case were, that the borough part of Appleby contained a population of 1,054, and that the two parishes contained a population of 2,600 persons. Now the question was, shall these two parishes be combined into one borough? He thought that justice would be more effectually done by combining these two parishes with, than by separating them from, the borough. Let the Committee consider in the first place how the jurisdiction ran in the two parishes. He understood that the corporate jurisdiction of the borough extended all over the two parishes.

Mr. *J. Brougham* stated, that on that point the right hon. Baronet was misinformed. The jurisdiction certainly was not the same.

Sir *R. Peel* said, one of the evils of which the Committee had a right to complain was, that it had not sufficient information on this and several similar points before it. He was given, however, to understand, that the Coroner for the borough, and not the Coroner for the county, took inquests in these two parishes.

Mr. *J. Brougham* contradicted this statement also.

Sir *R. Peel* stated, that the interruptions—not unfair interruptions—which the

D

hon. Gentleman had just given to his observations, convinced him that his Majesty's Ministers would have acted much better had they taken the advice tendered to them on a former occasion, and appointed a Select Committee to ascertain facts as to each particular borough, in order that the House might hereafter decide upon them. He scarcely knew how to legislate in such a dearth of all authentic information.

Lord *Maitland* was instructed, that the jurisdiction of the Mayor of Appleby extended over the whole extent of both the parishes of St. Lawrence and St. Michael, and that the licenses for public-houses in the remotest parts of both, always came from the Mayor of Appleby.

Mr. *J. Brougham* stated, that he was otherwise informed.

Sir *Charles Wetherell* thought the Committee must now perceive, that when it refused to allow evidence at the bar, in the case of this borough, it had not come to a very prudent decision. When the noble Lord who introduced the Bill, agreed that it was not necessary to have Counsel in this case, he (Sir C. Wetherell) understood the noble Lord to say, that when the case of Appleby came before the Committee, there would be an opportunity of understanding the facts. If there was any other way of getting at the facts, he (Sir C. Wetherell) was not so partial to hearing Counsel at the bar as to prefer it to all other modes; but though they were now in Committee, they were quite in the dark as to the facts. It was a most material question, whether the borough jurisdiction was co-extensive with the two parishes, and that was affirmed on one side, and denied on the other, by persons equally competent to decide. The result of inquiries which he (Sir C. Wetherell) had made, was, that the jurisdiction was co-extensive; but how was the Committee to act without further information? Gentlemen talked of justice; but how was justice to be done, when there was no means of solving the difficulty arising from opposite and contradictory statements. They were now trying a rotten borough at the bar, and upon the ordinary principles of justice it should stand acquitted, its guilt not having been proved; and there being no means of solving the difficulty arising from contradictory testimony. The Committee were called upon, however, to assume against the

accused. That was an odd sort of justice, and if the Committee proceeded upon such a principle, it would be an odd Court of Justice—a new principle of justice, adopted by a Reformed House of Commons, inverting the rules of evidence, propriety, and reason. The united population of the two parishes connected with Appleby, it was admitted, would take it out of schedule A. Now he could see no difference between this case and that of Truro, which was saved by adding part of a parish without the limits of the borough, whilst here it was said, they ought not to resort to any parish extension of the borough. If the whole population was to be taken in when the borough touched on one parish, there was no reason for refusing to take in the whole population when the borough touched on two parishes. It was a distinction without a difference. A more absurd and senseless distinction he could not imagine. Why were they, for the purposes of disfranchisement, to separate two component parts of a township, when so many parishes were tacked or spliced, or, he was about to say, married together, to make out a district which was to return new Members? In the district of Finsbury, for instance, there was to be a Turkish polygamy of parishes. This Bill had effected extraordinary unions. It had married—or rather it was to marry—the parish of St. Giles with the parish of St. George, Hanover-square. But, with respect to the principle upon which it proceeded, that was one thing which he should be glad to hear satisfactorily explained. The Bill separated a population in order to disfranchise a place, and united different parishes in order to franchise one. When they came to the schedule C, he should enter more at length into this part of the Bill. But he now called upon the noble Lord to explain why by one rule the Committee was desired to disfranchise, when a contrary rule was adopted, in order to create franchisement? The worthy Alderman, a member of the city of London (Mr. Alderman Thompson), had been called upon by his constituents respecting the vote he had given when the subject of the borough of Appleby was formerly before the House. The city of London had, as it were, issued a writ of *capias*, to take hold of his body. The city of London had arraigned him in their Court of Justice, because he had presumed to desire, that the House of Commons might have the

facts of the case upon which that House was called upon to do justice. What! was the city of London to be so degraded in these days of refinement and novelty as to have a Representative who should wish to have evidence before he decided? But it had been intimated to the worthy Alderman, "Only admit, in the language of the Ministers, that you inadvertently came to give your vote, and then you will be forgiven for desiring to have these facts before you upon which justice only could be done." Talk about nomination boroughs, indeed! did ever any thing like this transpire in the nomination boroughs? If these were the principles upon which an unreformed House of Commons proceeded, what would take place in a democratic House of Commons? If the members of the city of London were to be thus treated, what might not be expected from the rural population of London—from the population of St. Giles's-in-the-Fields? If, *inter mœnia*, such things took place, what would be done *extra mœnia*? What principles should they not have to encounter? Bitter indeed would be the dominion of a constituency so formed!—so bitter, that it would be impossible for a man of feeling and high principles to be a Member of Parliament. When they came to the evils of schedule C, he should address the Committee more at length; but at present they were only just commencing the evil of schedule A. With respect to the boroughs of Truro and Horsham, they had been most unjustly retained if Appleby were to be excluded. He thought it right to say what he had on the present occasion; and, if the Committee divided, he should vote for the proposition of the noble Lord.

Sir Charles Lemon said, the hon. and learned Gentleman had stated, that the borough of Appleby contained as large a population as Calne, Truro, or Horsham. He would leave out of his consideration the first and last of these places, and confine himself to Truro, which contained, he knew, nearly 7,000 individuals, and he believed no hon. Member had ventured to assert, that the population of Appleby, even with the addition of two adjacent parishes amounted to that number.

Mr. Attwood observed, that in the course of the Debate, the charge of partiality on the part of his Majesty's Ministers, in the disfranchisement of boroughs, had been repeatedly made;—and not without good grounds. At the outset of the Debate,

the noble Lord refused to state the principles upon which he proposed to regulate his system of disfranchisement; but afterwards, on being pressed for an explanation, he said, that he proposed to take the census of 1821 as the basis of his plan; adding, as his reason, that he thought he could do away with the system of nomination boroughs, by settling the rate of population which should give the franchise at 2,000 individuals. When he heard that the destruction of nomination boroughs was the professed object of the noble Lord's plan, and saw that the boroughs of Calne and Tavistock were not included in schedule A, the charge of partiality seemed clearly supportable. Tavistock was, however, a borough, he believed, in the absolute possession, but at least in the possession, of the noble House of Russell. Of course, no inference could be drawn from the mere fact, that Tavistock was not in schedule A; but when other boroughs appeared there, which were equally populous, the charge of partiality assumed a formidable appearance. He would proceed, however, to the consideration of the question before the House. A few evenings before a petition had been presented, praying, that evidence might be received at that bar, to shew why the borough of Appleby should not be included in schedule A. This request was, after a debate, refused on the grounds that, if it was acceded to, any other borough now comprised in the Schedule A might follow the same course, and pray to be heard at the bar. If hon. Members had examined the contents of that petition, they would have seen, that the circumstances stated in it were solely applicable to the borough of Appleby, and to no other borough in the kingdom. What was the special prayer of the petition?—not, that some adjoining parishes should be added to the borough, for the purpose of giving it a right of returning Members, but that two parishes, which were already actually part of the borough, should be considered in the calculation of its population. It was denied that these parishes were part of that borough—and why, then, not receive evidence on that point. The petitioners offered to prove the affirmative, but his Majesty's Ministers preferred the mere assertions of hon. Gentlemen, to what might be elicited on oath from those intimately acquainted with the borough. The House refused to hear Counsel for Ap-

pleby, although they listened to the statements which the hon. and learned member for Winchilsea thought proper to make against its interests. Now, was not that a very unjust proceeding?—Let the House for a moment consider what was this hearsay evidence. The hon. and learned Member stated, that the Magistrates and the Coroner of the borough had no concurrent jurisdiction over either of the two parishes proposed by the petition to be included in the census of the aggregate population. He begged, however, to state, on the authority of the Recorder of that borough, that both the Magistrates and the Coroner of the borough of Appleby exercised authority over those parishes. The former, and the former only, had the power of granting licenses—and the latter, of holding inquests. The Magistrates of the county had no power whatever to grant licenses, or the Coroner of the county to hold inquests—and if the House would consent to hear evidence, these points would be proved at the bar. Ought the House, then, to take the *ipse dixit* of the hon. and learned Gentleman, when it could so easily arrive at the true state of the facts by granting the prayer of the petition. If, without hearing evidence on these points, the House decided on the disfranchisement of this borough, it would proceed as if it were wholly regardless of the principles of either justice or equity. Another point was this—In the census of 1821, there was a manifest error in the return of the population of the borough of Appleby. The noble Lord had stated the grounds on which he abided by the census of the year 1821, and it was as correct as that of any other year, but mistakes could not be avoided. The petitioners said, “We can point you out an error in this return, which, of course, you ought to get remedied.” But the noble Lord refused to do that. The petitioners said—“Look to the census of 1811; there you will find the amount of population correctly stated: in that, the error of which we complain is not committed.” They merely asked for inquiry; they did not object to the line of demarcation, but they wanted not to be precluded, by an error, from having their rights. On examining the census of 1811 and that of 1821—we find in the former the population stated at upwards of 2,000 souls, and in the latter at 1,300. There must be a very material and palpable error in one or the other of

these returns: and that it is not in the return of 1811, the petitioners offered to prove. It would be degrading to the House not to take means to correct this mistake. The noble Lord stated, that he proposed to destroy the nomination boroughs, by enacting that no borough containing a population of less than 2,000, according to the census of 1821, should return a Member. This line he laid down to prevent charges of partiality or favour, but in the case of Appleby, he turned round and said, that it was a nomination borough, and should therefore be disfranchised. This clearly proved, that his Majesty's Ministers proceeded on no settled plan whatever, but enfranchised or disfranchised according to the course which to them seemed best. If the noble Lord said, that any borough, containing a population to the amount of 2,000 individuals was worthy of Representation, this borough ought not to be disfranchised. If the noble Lord, however, took away Representation from this borough on the ground of nomination, let him do the same thing by every other borough similarly situated. Appleby was most harshly treated, and if there was a division, he would certainly vote for its having one Member.

Sir *E. Sugden* was desirous of knowing, whether the noble Lord, the member for Devonshire, would redeem the pledge which he understood the noble Lord gave, that the Committee would have an opportunity of hearing evidence, if they were not clear, upon some of the facts respecting the boroughs to be disfranchised? He did not ask for Counsel to be heard at the bar, nor did he wish to impede the progress of the Bill, but he really was in such a condition, after listening to the statements made on the one side and the other, and he was bound to declare his opinion, he really was placed in such a condition, as to be called upon to vote in a case, of the facts of which he was really ignorant.

Lord *Althorp* said, that the grounds on which he had formed his judgment, were different from the points at present in dispute. He was not prepared to admit, that if it were proved that the Magistrates of Appleby had a jurisdiction over the two parishes in question, the consequences ought to be, that the extent of those parishes should be included in the population of the town. This was an individual question—the only one in which the population of parishes reaching out of a town

to a very great extent, could be included in that of the town itself. Although the liberties of the borough Magistrates should extend over this parochial jurisdiction, this could not be brought as a proof that the town itself ought to be so extended. The borough of Appleby had not been stated by any person to extend over these parishes. It was impossible to accuse his Majesty's Ministers of partiality in this case, for there was no motive or reason why they should object to give a Representative to Appleby, for he did not know that such Representative might not be quite as likely to agree with Ministers, as with those who opposed them. It appeared to him, that this discussion did apply to a borough, in the case of which no charge of partiality could be brought against Ministers. The case of Truro was totally different. In forming an entirely new constituency, it was necessary to adopt a district of parishes in places of a great extent; but in disfranchising a town of no consideration, it would not be made more considerable by including parishes that did not belong to it. If the House adopted the motion in the case of Appleby, it would be taking out of the county of Westmoreland a large tract, in order to form a new constituency.

Lord *John Russell* said, in answer to the question put by the hon. and learned Gentleman, the member for St. Mawes, that what he had formerly stated was, if the Committee found it necessary to have evidence in particular cases, the Committee might direct such evidence to be produced.

Mr. *Goulburn* contended, that upon the principle of the Bill, the adjoining parish of St. Michael had as good a right to be included in the borough of Appleby, as had been the case with other boroughs, which had great favour shewn to them. The principle stated, as he understood it, was this—that if two contiguous parishes contained a number of inhabitants next to a borough, sufficient to prevent that borough from being disfranchised, that it should remain in either schedule B or C. But it was now said, that such a principle was not to prevail; and he asked, could that be considered an act of justice? He had a case exactly in point; and if Truro were not admitted, what was to be said to Reigate, which, according to the original Bill, was to have been disfranchised, although, in the amended schedule, it was

still to retain a Representative? Why, but for the junction of other parishes with Reigate, it never could have been so favoured as it was now proposed to have it. Now he begged leave to ask, if Reigate, by the addition of the adjoining parishes, were to have a place in schedule B, why not Appleby upon the same principle? What, he begged leave to ask, was the distinction between them? They might, perhaps, have different Christian names for the adjoining parishes, but whether they were called St. Michael's or St. Leonard's, the facts remained precisely the same. He would not go further into the question; it had been sufficiently argued by Members on the opposition side of the House, and nothing had been satisfactorily urged against their reasoning, either by the Ministers or their supporters. Even upon the principles admitted by the noble Lord (Lord John Russell), it was quite clear, that where a borough had in a contiguous parish sufficient inhabitants to reach the number of 2,000, such a borough should not be condemned to a total disfranchisement.

Lord *Milton* considered, that townships should not be confounded with parishes in this case, although the principle had been enlarged as to the towns of Buckingham and Aylesbury. The charge of partiality which had been made in the selection of favoured boroughs, he must repudiate, because Appleby, as was stated, stood in two distinct parishes, neither having much, if any, connection with each other. In many parts of England, the jurisdiction of Coroners particularly, only extended to certain townships, so that the existence of such a jurisdiction in a neighbouring parish could have nothing to do with the question. If, under such circumstances, the Ministers violated the principle which they had laid down, he should much regret it; and, according to his present impression, he must vote for the disfranchisement of Appleby.

Lord *Eastnor* said, though there were distinct officers, still there was but one parish church.

Mr. Alderman *Waithman* could say of Reigate, that the second parish was so little connected with the borough, that it ought not to have preserved it from disfranchisement.

Sir *J. Scarlett* considered, that when the neighbouring parish contained a population larger than the borough town, such borough should not be disfranchised, if

the total number of the population came up to the standard of 2,000. He had had a forty years' acquaintance with the borough of Appleby; and, without saying a word against the experience of any other Gentleman, he must observe, that, looking at the three roads to that borough, through Penrith, Temple Sowerby, and Shap Fell, he did not know if the existence of any other parish could be found, except in St. Michael's, which was immediately contiguous to the borough of Appleby. After all, he could safely say, looking to all the analogous cases upon the subject, that he could not see any satisfactory reason why the ancient borough of Appleby should be deprived of a Representative in Parliament. Even upon the principle laid down by the Government, that contiguous parishes should be included in the borough, he was fully persuaded that injustice would be committed, if this motion were negatived.

Mr. *James Brougham* knew Appleby well, and he had the testimony of the Under-sheriff of the county to state, that the present population, within one mile round from the centre of Appleby, was but 1,500, and there had been an increase of 200 within the last ten years. The population within the borough was now 1,110, which, allowing for the increase mentioned, would prove the correctness of the return of 1821, which stated it at 860. In addition to this fact, the two parishes in which Appleby stood, covered a space of thirty-three square miles, while the Mayor's jurisdiction extended over only 100 acres.

Sir *H. Hardinge* said, that if Appleby were to be denied a Representative, such a place as East Retford, having been thrown open to the hundred, would meet the reward of corruption by continuing its Members. If the latter place were to have two Members, why deprive Guildford and Dorchester of one Member each? Such a mode of acting might be called fair and honest—perhaps political—but it must be quite clear, that neither this House nor the people of the country would be satisfied, until an impartial hearing, which was hitherto denied to them, should be had. It might be very easy for feeble minds to destroy, but it would be for those of an abler mould to build up again.

Lord *John Russell* observed, that if he had had his way in the case alluded to, he should have transferred the franchise of East Retford to such a town as Birming-

ham, but the abler and wiser men then in the Government would not consent to it. So much for the great minds of the late Administration and their supporters.

Mr. *W. Bankes* considered, that it was beneath the dignity of the House to legislate in the manner in which they were now proceeding. In any well-ordered and deliberative assembly, they should have facts to guide their judgment. Here an objection was taken to hear such facts; and he considered that, under all the circumstances, the people of Appleby must consider that they had been very much ill-treated and ill-used.

Mr. *Croker* would not take this subject on narrow grounds as to jurisdictions in one parish, or the other; he would not inquire into the jurisdiction of a churchwarden here or a Coroner there, or a particular public-house being situate within a mile or two or three of any given borough; but this he would say, that as two parishes were united in the borough of Appleby, which two parishes contained above 2,000 inhabitants, that that borough, upon the principle laid down by the Government, should not be disfranchised. This was the fair and honest way of viewing the subject, and he would certainly vote for the continuance of Appleby, at all events, in schedule B.

Mr. *Hunt* could not imagine why Government should consent to the disfranchisement of this borough, considering that the testimony on which they acted had been so conflicting and contradictory. He, however, would vote for its disfranchisement, partly on account of its being a nomination borough, and partly because he had already given notice of a motion to the effect that every householder paying rent and taxes should be entitled to exercise the elective franchise.

Mr. *Attwood* rose again for the purpose of calling the attention of the House to the fact that Morpeth was to be saved merely by adding to its population the village of Netherby, situated fully seven miles distant from the borough itself.

Lord *Milton* observed, that it was but just to act thus with regard to Morpeth, when the borough of Aldborough was saved by the addition of the population of a district in a different riding.

Mr. *Croker* exclaimed, "Do we then hear the allegation, that Morpeth is to be saved by the addition of a chapelry seven miles distant, answered by the admission

that Aldborough will be allowed to take credit for a population actually situate in another riding? and do we hear that admitted by the very party who refuse the franchise to Appleby, on the pretext that the parish by which it could claim it is six or seven miles in length?

The Committee then divided—For the Amendment 228; Against it 302—Majority 74.

The original Motion, “that Appleby should stand part of the Clause,” was then put and agreed to.

The House resumed.

List of the Majority.

[The following Members voted in the division on Appleby, in addition to those who voted in the former, and being added to the majority, at page 5, will give the Majority in this division.]

Anson, Hon. G.	Knight, R.
Acheson, Viscount	Lambert, J. S.
Atherley, Arthur	Lennox, Lord A.
Barnett, C. J.	Littleton, E.
Bayntun, Capt. S. A.	Lloyd, Sir E.
Biddulph, R. M.	Lumley, J. S.
Boyle, Lord	McNamara, W.
Blunt, Sir C. Bart.	Moreton, Hon. H.
Brabazon, Viscount	Mostyn, E. M. L.
Burdett, Sir F.	O'Neill, J. B. R.
Burton, H.	Osborne, Lord F.
Byng, G.	Paget, Sir C.
Callaghan, D.	Paget, T.
Cavendish, C. C.	Ponsonby, Hon. W. F.
Chaytor, W. R.	Price, Sir R.
Chichester, Col. A.	Sheil, R.
Duncombe, T.	Sinclair, G.
Dundas, Hon. T.	Smith, J.
Ferguson, Sir R. C.	Smith, G. R.
Fergusson, R.	Stanley, Lord
Fordwich, Lord	Stewart, Sir M. S.
Fox, Lieut.-Colonel	Stuart, Colonel
Gillon, W. D.	Talbot, C. R. M.
Gordon, R.	Throckmorton, R. G.
Guise, Sir B. W.	Trail, G.
Gurney, R.	Uxbridge, Lord
Heathcote, Sir G.	Walker, C. A.
Hill, Lord A.	Webb, Colonel
Howick, Lord	Western, C.
Hughes, Col. L.	Wilbraham, G.
Jeffrey, Rt. Hon. F.	Wilks, J.
Johnston, J.	Wood, Ald.
Killeen, Lord	

HACKNEY COACHES.] On the Motion of Lord Althorp the House went into a Committee on the Hackney Coach Acts.

Mr. Warburton inquired, whether it was proposed to allow stages to ply for fares through the streets of London in future?

Lord Althorp replied in the affirmative.

Colonel Sibthorp did not mean to impute any blame, or charge the Commis-

sioners of the Hackney Coach Office with any neglect of duty, for he had always received the greatest attention from them; but to the constitution of the office many objections might be urged. It seemed, at least, to be useless, for no efficient regulations had been enforced to produce good conduct or civility on the part of hackney-coachmen and cabriolet-drivers, who were really a disgrace to humanity.

Mr. Goulburn had had many communications with the Commissioners of Hackney-coaches, and he must acquit them of all blame; yet if a different system was to be pursued, he should wish to know before what tribunal offenders or disputes were to be brought. Many cases occurred of respectable women receiving gross and insulting language from drivers of hackney-coaches, in which case they were frequently obliged to attend police-offices, and remain in a crowd of low, worthless people. This was a matter worthy of consideration, and some improvement ought to be made in this respect.

Mr. Robert Gordon felt some alarm at the idea of the Board of Hackney-coach Commissioners being dispensed with, for fear they might be called on for superannuation to these gentlemen. Knowing they were persons who had been well paid for what they had done, he hoped no such attempt would be made.

Lord Althorp admitted, that the conduct of hackney-coachmen was frequently very bad, and that some means were required to keep them in order.

The following Resolutions were agreed to:—“That the duties under the care of the Commissioners for licensing Hackney Coaches, and now payable in respect of Hackney Coaches, Chariots, &c., should determine; and in lieu thereof, there shall be levied and paid for every Hackney Coach employed within the distance of five miles from the General Post Office, in the City of London, 5*l.*; and in respect of every such license, during the continuance thereof, the weekly sum of 10*s.*; That it is expedient to transfer the management of the said Duties on Hackney Coaches to the Commissioners for Stamps.”

HOUSE OF LORDS,

Wednesday, July 20, 1831.

MINUTES.] Bills brought up from the Commons. The Master of the Mint's Salary Bill, and the Growth of Tobacco (Ireland) Prohibition Bill. Committed; Assessed Taxes Composition, Militia, Ballot Suspension,

HOUSE OF COMMONS,

Wednesday, July 20, 1831.

MINUTES.] Bill committed; Queen's Dower.

Returns ordered. On the Motion of Mr. HEATHCOTE, an account of all twenty-eight-gun Frigates, and ten-gun Brigs, at present in the Royal Navy, and a similar account of those building:—On the Motion of Colonel SIBTHORP, of the number of Freeholders in England and Wales, who have Voted since 1811:—On the Motion of Lord MAHON of the number of Children in the Charter Schools of Ireland, for the years 1826 to 1830, inclusive, distinguishing the number in each Year.

Petitions presented. By Mr. WOLRYCHE WHITMORE, from the Merchants, Manufacturers, Bankers, Traders, and Inhabitants of Glasgow; of Merchants, Bankers, and Ship Owners of Hull; and of Inhabitants of Muirkirk (Ayr), for a Free Trade to China. By Lord MANDEVILLE, from the Protestant Inhabitants of Portadown, against the Grant to Maynooth College. By Mr. BLAIRE, from Inhabitants of Cockermouth, praying that Borough may be taken out of Schedule B in the Reform Bill. By Mr. ARTHUR TREVOR, from Free Burgesses of Newcastle-upon-Tyne, praying to retain their Rights. By Mr. THROCKMORTON, from Berkshire, praying the Elective Franchise may be extended to all Occupiers of Land. By Lord Viscount MAITLAND, from Owners and Occupiers of Land in Haddington, against the use of Molasses in Distilleries and Breweries. By Sir R. MUSGRAVE, from Householders of Holy Trinity, Waterford, against any further Grant to the Kildare Street Society. By Sir MATTHEW WHITE RIDLEY, from the Scientific Society of Newcastle-upon-Tyne, against all Taxes upon Knowledge. By Mr. BROWNLOW, from Merchants and others, Newry, Ireland, praying for Compensation for Colonial Property. By Mr. HEATHCOTE, from Millers and Corn Dealers of Boston, against the Importation of Flour. By Mr. WILKS, from Walter Hancock, against excessive Tolls for Steam Carriages employed on Roads. By Major MACNAMARA, from the Roman Catholic Prelate and Clergy of Galway, for the extension of the Elective Franchise to Catholics. By Lord STORMONT, from the Inhabitants of Woodstock, against the Reform Bill; an Hon. Member presented a Petition of the same character, from Parishes within the Borough of Plympton Earle. By Mr. BROWNLOW, from James Girvin, against County Assessments (Ireland.)

MOLASSES IN DISTILLERIES.] Mr. Tyrrell presented a Petition from the Owners and Occupiers of land in Bungay, and another place in Suffolk, against the use of Molasses in Breweries and Distilleries.

Sir Henry Bunbury said, this subject had excited great alarm among the agriculturists. They feared that, by allowing molasses to be used in the way proposed, great injury would be done to them, particularly at present, when the maltsters were called upon to pay large duties.

Mr. Briscoe understood the effect of the plan which had been proposed would be, that the use of molasses would not take place till barley had risen to such a price as to make it advantageous to import it. The consequence would be, that, instead of importing foreign barley, the distillers would use molasses. The regulation was intended, therefore, to give an advantage to our own colonist instead of the foreign agriculturist,

Sir Edward Kerrison was decidedly of opinion, that the proposed use of molasses in breweries and distilleries would prove ruinous to the agricultural interests.

Mr. Fyshe Palmer thought the proposition which had been submitted to the House particularly ill-timed, as they had in a great degree just got rid of the use of molasses and drugs for making beer, by the operation of the late Act. The people had now a comparatively wholesome beverage, but if the use of molasses was permitted, the trade would again fall into the hands of the drug manufacturers. A more injurious measure could not have been proposed, and he trusted the Committee and the House would reject it.

An Hon. Member thought the alarm of the agriculturists was without foundation, it was proposed only to allow the molasses to be used when barley was at 34s. per quarter, and when that was the case, foreign barley could be imported at a reduced duty. The proposition was recommended by being brought forward when the consumption of barley was much increased by the recent extension of the beer-trade.

Sir John Newport trusted the Committee to which the question was referred, would look with extreme jealousy at the proposed attempt to introduce molasses into the manufactures of spirits and beer. He could affirm, that spirits produced from that article in the country with which he was acquainted, had been of so bad a quality that it was not drinkable, and the consequence was, that illicit distillation of whiskey increased to such a degree, that it required great exertions on the part of Government for several years to stop it: and he was afraid, that this would be the result of the present attempt again to allow the use of molasses.

Mr. Irving thought the remarks of the right hon. Baronet premature, when a Committee was sitting to investigate the whole business.

Sir John Newport did not wish to pre-judge the question, but he considered it necessary to recommend the House to look seriously at it, in a point of view which might not be entered upon by the Committee.

Mr. Irving knew that particular point to be under the consideration of the Committee.

Mr. John Wood could declare, as a member of the Committee, that it was pursu-

ing its inquiries in a diligent and impartial manner. The agriculturists had no reason to fear, that their interests would not be attended to, as several of the most active Members of the Committee represented the landed interest. One fact which had come under the notice of the Committee would shew that the prevailing alarm was unfounded. Evidence had been given, that 5,000,000 quarters of malt paid duty annually; the quantity of molasses imported last year was 350,000 cwt, the quantity of saccharine matter in which would equal that contained in 220,000 quarters of malt; if that quantity was altogether deducted from the consumption of 5,000,000 quarters, it would not supply any good reason for alarm on the part of the agriculturists. Molasses was not to be used, however, until barley was 1*l.* 14*s.* per quarter, when foreign barley would be admitted. The consequence would be, that molasses, the produce of our colonies would be brought in competition with foreign barley and not with the produce of our own soil. He did not presume to anticipate the decision of the Committee, in which all the interests concerned were fully represented, but only wished to claim for it the confidence of the House.

Sir *Robert Harty* said, great alarm prevailed that the proposition would produce material injury to the agricultural interests if carried into execution, and he, therefore, hoped, the Committee would soon relieve the anxiety of the country, by closing its labours.

Mr. *Spring Rice* said, the present discussion in anticipation of an inquiry, the result of which would neither bind the House nor the public to adopt the conclusions of the Committee, could tend only to perplex the whole matter. If molasses was allowed to be used under the existing law, and the landed interest wished to inquire if the system could not be altered to the general advantage, would it not be unfair to refuse the inquiry? The principle was exactly the same, though the case was reversed. The West-Indian interest was labouring under severe depression, and it was but fair to allow it to endeavour to make out their case, without attempting to prejudice the inquiry. When the report of the Committee was presented, the House would be in a situation to enter into the whole merits of the question.

Sir *John Sebright* said, the alarm felt in the agricultural county which he repre-

sented, and which was the chief seat of the malting trade, on account of the proposed use of molasses was very great, and he hoped the plan would be abandoned.

Mr. *Sadler* said, they had heard of the landed interest and the commercial interest, in the brief discussion which had taken place, but nothing had been said, during the discussion, of a third interest—the most important of all—that of the community. It might be worth while to consider, whether it would be as agreeable to the people, if their beer was made from treacle, instead of malt and hops. This was the point of view in which the question should be considered, and it would not conciliate the public feeling to have treacle used in breweries. A wholesome beverage might be made from that article, but the people of England did not like it.

An *Hon. Member* said, the agitation of the question had created so much alarm, that malt was perfectly unsaleable at the present moment. It was asserted, that only 500,000 cwt. of molasses could be imported; but would not the worst description of sugars also find their way into the breweries and distilleries? Whatever quantity of either might be used must displace an equal quantity of home produce.

Mr. *Bernal* said, it was for the interest of all parties, that no further irritation should be excited by incidental discussions, tending to prejudge a question at present before a Committee for consideration. The report of the Committee would be in a short time before the House, and it was not a candid mode of proceeding to send abroad reports injurious to all parties interested.

Petition laid on the Table.

Mr. *Tyrrell* presented similar petitions from Halesworth and Harleston.

Sir *John Sebright* said, if the measure was proceeded with, every parish of Hertfordshire would petition against it.

REFORM.] Colonel *Sibthorp* begged to call the attention of the House to a letter which he had received from a respectable gentleman, living in the county of Hertford, with regard to the opinions prevalent in his neighbourhood on the Reform Bill. "When first the measure was introduced," said the writer, "we were as hot as pepper in its favour, but we have much cooled, and now believe that unless it undergoes great modification, it will prove highly dangerous."

Sir *John Sebright* bore testimony to the inaccuracy of the statement of the writer, and said, that as far as his own knowledge of the county of Hertford went, he could speak to a uniformity of opinion in favour of the Reform Bill.

EAST-INDIA COMPANY'S CHARTER.]

Mr. *Wolryche Whitmore* presented a Petition numerously signed, from the British and other inhabitants of Calcutta, praying for a free trade to China; and for the abolition of the East-India Company's monopoly. He looked upon the petition to be worthy the attention of the House, and he therefore begged leave to state the substance of it. The petitioners were deeply impressed with the conviction, that it was necessary to remove all restrictions which prevented the employment of British skill and capital in India; that such restrictions as prevailed in India existed in no other colonies, all of which were exempt from so injurious a system, and that the resources of India could never be fully developed until they were removed. The petitioners remonstrated against the heavy duties imposed on their produce in the markets of this country, and also complained, that life and property were not adequately secured in India. They laid considerable stress on the injurious effects resulting from the Government monopolizing the China trade; they represented, that laws were passed affecting their interests without their knowing any thing of their operation, until they were carried into execution; and they contended, that they ought to have an opportunity of expressing their opinion with regard to such laws before they were carried into effect.

Mr. *Cutlar Ferguson* said, this great subject involved so many important questions, that he approved of the resolution of the hon. Gentleman, not to enter upon a discussion with regard to the policy pursued by this country towards India, the whole of which was then under the consideration of a Committee, from which a report might be shortly expected. He, however, must express his concurrence with the principal part of the contents of the petition, and particularly with that part which complained of the injustice of the heavy duties levied on the produce of India when imported into this country, while the duties on the produce of this country imported into India were very

light. But, above all these considerations, was the welfare and happiness of the people over whom we had obtained dominion. In considering the question of the propriety of permitting the resort of Europeans to India, it ought to be recollected, that respect to the customs, laws, and even prejudices, of the natives must be observed.

Sir *John Malcolm* concurred in the sentiments expressed by the hon. member for Kirkcudbright, but he deprecated all discussion which was likely to interfere with the deliberations of the Committee then sitting. Its report, which might soon be expected, would enable the House to form a calm and deliberate opinion upon this most important and momentous question. To one point only of the petition he felt it necessary to refer; he alluded to that in which the petitioners complained of the want of security to life and property in India. He could hardly imagine such a statement was contained in the petition, and he could not allow it to pass without declaring his most decided conviction, that there was no foundation for the assertion. In discussing questions relating to India, the House must consider the effect their proceedings were likely to have on 100,000,000 of human beings, whom Providence had subjected to our rule.

Petition, with several others of a similar nature, from various places in Scotland and England, referred to the Select Committee on the affairs of India.

POST-FREE CHARITY LETTERS.]

Sir *Robert Bateson* held a Petition in his hand, from the Ministers and Elders of the Irish Presbyterian Church, commonly called the General Synod of Ulster, complaining that the privilege of receiving their letters free from postage, which they had long enjoyed, had been withdrawn from the charitable and religious institutions of Ireland, and praying relief. The petitioners lamented that the custom of allowing charitable and religious bodies to receive letters free, had been altered by the present Government. They were thereby deprived of all power of communication with each other on charitable subjects. They were aware of the necessity of taxation to carry on the Government, but they submitted, charity was the last subject which ought to be exposed to its operations. He agreed with the petitioners, and knew that these alterations had been attended with the

injurious effect of stopping all communication with religious bodies, both as to information and subscriptions. The revenue derived no benefit, as the answers to these communications were also put an end to. There had been no charge of improper uses having been made of this correspondence, nor could there be any such charge, for all the letters went through the office open. He lamented there was no Minister in the House to hear the observations he had thought it his duty to make: the prayer of the petition was, that the House would take the subject into consideration, and give the petitioners relief.

Mr. *George Dawson* thought, the privilege had been cut off by the noble Duke at the head of the Post Office department, under an idea of reducing the public expenditure. The noble Duke had, no doubt, intended well, but he had been mistaken in stopping the transmission of these letters, for the first object of the Post Office revenue was, to fully provide for the internal communications of the country, and whatever remained, after defraying these expenses, was applicable to the public services. But no Chancellor of the Exchequer ever looked upon the Post Office revenue, like other taxes or impositions, and great inconvenience would arise from the order now issued. No loss would be sustained by permitting the course followed so long to be continued, and there was a chance of gain by the answers to these communications. There were many societies in Ireland which were in a great degree supported by subscriptions from England and Scotland, and stopping these letters would stop the subscriptions, for the subscribers would not continue them unless they knew how they were disposed of. Hitherto, the details and accounts had been transmitted through the Post Office, under the cover of some official person, and no abuse had taken place. He, therefore, begged to submit to the consideration of the noble Lord (*Althorp*) whether this permission ought not to be revived.

Lord *Althorp* was aware that complaints had been made of letters, forwarded through the Post Office free, by charitable institutions, having been discontinued. But the practice was contrary to law, and if it were wished to revive it, and to bestow this privilege on any society, an Act of Parliament must be passed, for the existing law could not be dispensed with.

Sir *Robert Bateson* was happy to hear the reason given by the noble Lord, for the novel practice introduced, because he hoped the noble Lord would introduce some measure to remedy it, and facilitate the obtaining a scriptural education for the people of Ireland, which, in their miserable state, was the greatest blessing they could obtain. He begged to ask a question on another point connected in some degree with this—Was it true, that letters respecting the noble and munificent subscriptions for the widows and orphans of the soldiers killed at Waterloo, had been lately charged with postage? If this was so, he hoped it would not be continued, but that the pittance allowed by the generosity of their countrymen would not be stopped in its passage to those who had been sufferers in its cause?

Lord *Althorp* was unable to answer the hon. Baronet's question further than to assert, that, in common with his noble friend at the head of the Post Office Department, he would do no act contrary to law.

Petition to lie on the Table.

UNION WITH IRELAND.] Mr. *Brownlow* rose to present a Petition, the subject of which had often filled his mind with serious forebodings, and on which he altogether dissented from the opinion stated by the petitioners. He had so declared to them, but, nevertheless they had requested him to present their petition. It was from the Artisans, Mechanics, and other inhabitants of Belfast, who were most respectable persons, and it prayed for the Repeal of the Union. He had received this petition during the last Session of Parliament, and had had no opportunity of presenting it; since then he had communicated with the petitioners, and they had requested him to present their petition forthwith. Hon. Gentlemen would see, therefore, that the petition did not originate in temporary heat or caprice, but, after reconsideration, the parties still continued to declare themselves in favour of a Repeal of the Union. He now begged to move that the petition be brought up.

Sir *R. Bateson* said, if this was the petition which was to have been presented last Session, it was one got up by deception and fraud, practised by agents of the Anti-Union Society in Dublin. Many of the supposed subscribers (if it was the petition to which he alluded) were child-

ren, with the title of "Esq." attached to their names, and it was said to emanate from Belfast, while it was in reality produced by strangers, or delegates from the Dublin Anti-Union Society. On more than one occasion, the Repeal of the Union had been agitated at Belfast, and he could declare, that every respectable Protestant merchant and shop-keeper were to a man against the Repeal. There were not 100 out of the 50,000 inhabitants who would sign a petition for the Repeal, and even the small minority he had spoken of were of the lowest orders.

Mr. *Ruthven* testified to the respectability of many of the signatures of the petition. The question was making great progress in Ireland, and had made some even in Belfast, although he himself was no advocate for the Repeal of the Union.

Sir *R. Bateson* repeated, that if this was the petition to which he had alluded, it was got up in the manner he had stated.

Mr. *Brownlow*, in moving that the petition be printed, said, he should have given the same answer which the hon. Baronet had received from the hon. member for Downpatrick, for he could answer to the respectability of some of the signatures, but generally speaking, it was signed by those persons whose petitions it professed to be. He had asserted, and he repeated, that he totally dissented from its prayer, and had, therefore, no interest to hold it up in a false light.

To be printed.

HACKNEY-COACHES.] Mr. Alderman *Thompson* presented a Petition from certain hackney-coach proprietors, praying the House not to allow stage-coaches to interfere with them, by plying for fares within the streets of the metropolis. The petitioners stated, that they had already suffered very materially from the introduction of cabriolets, and that, if the privilege was extended so far, that common stage-coaches were allowed to ply in the streets of London, they should be completely ruined; they also stated, that much inconvenience would be felt by the public, from the constant stoppages that would occur, if coaches were allowed to take up passengers in the street. They looked upon the introduction of an increased number of cabriolets as an additional hardship. He believed, that too many vehicles had been licensed, and that

was the cause of the bad state, both of the coaches and horses.

Lord *Althorp* observed, that he did not believe any mischief arose from the extension of licenses to hackney-coaches; but, on the contrary, a free competition had a tendency to prevent mischief. He would take care, in framing the bill, that the changes introduced should be so gradual as to obviate all the nuisance that was anticipated from stage-coaches plying in London.

Colonel *Sibthorp* hoped the proposed change would procure clean and wholesome carriages, and civil and honest coachmen. If any thing was likely to produce cholera morbus in London, it was the filthy condition of its hackney-coaches. A more disorderly and uncivil set of men, more miserable vehicles in the shape of coaches, or more wretched horses, could not exist than at present afforded the only means of conveyance in this great metropolis. He had some knowledge on this subject, as he had paid 25*l.* in fares in the course of six weeks.

Petition to be printed.

ELECTIONS IN CHURCHES.] Mr. *R. Gordon* presented a Petition from the Inhabitants of Cricklade, complaining that the election of Members of Parliament was carried on in the parish church. He believed that was the only borough in which the church was used for such a purpose, and it frequently happened, from the excitement that prevailed on such occasions, that speeches were made, and discussions allowed, not very much in character with the nature of the edifice. He concurred with the petitioners in thinking, that some other place should be selected.

Mr. *Wilks* assured the hon. Member, that Cricklade was not the only borough so circumstanced. In the borough he represented, the election was usually carried on in the church, but, like the hon. Member, he was of opinion the practice ought to be abolished.

Sir *Robert Inglis* trusted, the noble Lord would take some steps to prevent the recurrence of this practice. Elections should take place for towns at the market-house, or some other public building; the church ought never to be used for such a purpose.

Lord *John Russell* agreed with his hon. friend, that the church was a most unfit place to carry on a contested election;

but he did not wish to pledge himself to introduce any enactment into the Reform Bill, to prevent the practice.

Petition to be printed.

[ARRANGEMENT OF BUSINESS.] Lord *Althorp*.—I beg to give notice, that in consequence of the length of time that has been occupied by the debates in the Committee on the Reform Bills, I shall move to-morrow, that on such days as the Committee is appointed for, that Order of the Day do take precedence of all business whatever, including petitions. I now beg leave to move, that the House resolve itself into a Committee on the Reform Bill.

Mr. *C. W. Wynn* begged to remind the noble Lord, that if he persisted in his motion, he would be acting directly contrary to the engagement into which he entered on Wednesday last—viz. to allow the ordinary business of the House to have precedence on this day; he had himself a bill of considerable importance before the House, which it had been fixed should have precedence; he should, therefore, substitute as an amendment on the motion of the noble Lord, that the Order of the Day for the third reading of the Oaths before the Lord Steward's Bill, be read.

Lord *Althorp* wished that his right hon. friend would postpone this bill, and allow the Reform Question to be proceeded with. He thought the importance of carrying the Reform Bill through the Committee, with as little delay as possible, would induce every hon. Gentleman to defer all other business, until that desirable object had been obtained.

Mr. *C. W. Wynn* observed, that only last Wednesday, it had been settled, that Wednesdays were to be open days, on which Government Orders of the Day were not to have precedence. He thought the House should come to an understanding, whether all kinds of public business should stand still, until such measures as Ministers chose to give precedence to should be decided. There were many matters of equal importance to the Reform Bill awaiting their consideration, and it was positively necessary that some time should be devoted to them. There was the Bill relating to the Game Laws, for instance, which it was highly expedient should be passed before the period arrived when prosecutions under the existing laws would most likely begin. If

his noble friend was, however, particularly desirous of proceeding with the Reform Bill that evening, he would give him precedence, provided he was positively assured, the same precedence would be accorded to him on Wednesday next.

Lord *Althorp* admitted, that such was the arrangement, and therefore, if his right honourable friend chose to insist on precedence, it must be allowed; but he (Lord *Althorp*) thought, that though he was literally bound to that arrangement, he hardly was to the spirit of it, as the Committee on the Reform Bill might be looked upon in the light of an adjourned debate.

Mr. *Briscoe* said, that the Reform Bill ought to take precedence of all other questions, because it was at present an all-absorbing question.

Mr. *Sadler* entirely differed from the hon. Gentleman: it was highly inconvenient and improper that every subject of importance, however pressing, should be obliged to give way to this one measure.

Lord *Althorp* perceived that the discussion was a mere waste of time, he would, therefore, at once give way to his right hon. friend.

[OATHS BEFORE THE LORD STEWARD.] The Order of the Day for the third reading of the Oaths before the Lord Steward's Bill was read; and

Mr. *C. W. Wynn* moved, that the Bill be then read a third time.

Sir *Robert Inglis* opposed the motion, as breaking in on the Constitution. The hon. Member quoted an opinion of Hatsell, to show, that unless the oaths were taken before the Lord Steward, it would be possible for men who were not legally Members of the House to find their way into it, and elect a Speaker. This might take place in times of great excitement. The reasons for bringing this measure forward were, that Members had been delayed in taking the oaths, and there was a wish to reduce the number of oaths. A remedy could be obtained for the present, by allowing the deputies of the Lord Steward to administer the oaths; with respect to the other, the question arose, what were unnecessary oaths, and he thought those under consideration were not of that character. If they further considered the oaths to be taken by Members, who came in on writ after a general election, they would find that to be the case;

even now, hon. Members had taken their places without taking the oaths. Was it desirable to lessen the chance of the law being obeyed? Was it useful, that the proof of qualification should be given in that House, the fees paid, and the inquiries made there? Pressed as they were with business, the loss of time that would occasion was an object. He was, therefore, of opinion, if it was necessary to abolish any oaths at all—but this he denied—it would be better to abolish the oaths taken in the House, rather than those taken before the Lord Steward. For these reasons, he should oppose the third reading of the Bill.

Mr. C. W. Wynn would reply, in a very few words, to the remarks of his hon. friend, and state the reasons why, in his opinion, the oaths taken before the Lord Steward should be discontinued. The first was, the objection to the multiplicity of oaths; for it was absurd to take the same oaths, first in the Lobby, and afterwards in the House, in the space of a few minutes. The next was, that the taking these oaths exposed the Members of that House to a state of dependence on an officer who had no authority over the House, and who might, as he did in 1812, resign his office, and make the oaths taken before his deputies void. The Members who took their seats, after so taking the oaths, would, according to law, have forfeited them; and a special Act was obliged to be passed, to relieve them from the consequences to which they would otherwise have been subjected. He admitted the possibility of persons, not being legally Members, taking part in the election of Speaker, but that was so remote and unlikely a contingency, that it ought not to weigh against the Bill.

Mr. G. Bankes would vote with his hon. and learned friend, the member for Oxford, should he divide the House, against the Bill. He would rather have the second set of oaths, those which were taken in the House, abolished, than the first set, which they might consider as taken before the Sovereign himself represented by his officer. He conceived, it was necessary the Sovereign should be satisfied, that the Oaths of Allegiance to him were duly taken, for he or his officers did not, and could not, attend the House. The Commons were jealous, and justly jealous of the presence of Royalty among them, and could not tolerate it at any time.

Sir Charles Forbes would vote against the Bill, because it would be but a short time in existence; for he expected that the next Parliament would abolish oaths altogether.

The House divided:—For the Motion 78; Against it 26—Majority, 52.

The Bill read a third time, and passed.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—SIXTH DAY.] Lord John Russell moved the Order of the Day, and the House resolved itself into a Committee on the Reform Bill, Mr. Bernal in the Chair.

Lord John Russell moved, that the name of the borough of Great Bedwin stand part of the first clause.

Mr. G. Bankes wished to guard himself, by allowing the vote to pass, against its being supposed that by doing so, he precluded himself from hereafter moving that Great Bedwin should be combined with other boroughs into a district for returning a Member. The hon. Member protested, in this point of view, against the greater part of the first clause, which said, that all the boroughs contained in schedule A should have no part in the Representation; and gave notice that he would hereafter submit a motion to incorporate Great Bedwin with some other borough. Although he did not intend, after the division of last night, regarding the census of 1821, to go again into the question, yet he must express his sense of the injustice of the principle which cut off the inhabitants of a place, which had so long sent Members to Parliament, from all share in the Representation. He would content himself with protesting against this disfranchisement, for he should be able, when a proper occasion arrived, to show that, even according to the principles of the advocates of the Bill, this borough ought not to be wholly excluded from a share in the Representation.

Lord John Russell said, the hon. Member was at liberty to make any motion hereafter he might think proper. He should reserve to himself the right of offering his opinion on any amendments the hon. Members proposed when before the Committee. The case of Great Bedwin was not one of hardship; the proportion of assessed taxes paid by the borough was 98*l.* 7*s.* 9*d.* per year, while the parish in which it was included paid 500*l.* But that was not the sole ground why it was to

be disfranchised, for the fact was, that the population of the borough and parish included, were under the required number of 2,000 inhabitants.

Sir *C. Wetherell* observed, that schedule A stood upon as rotten a foundation as any rotten borough whatever. He knew not whether to refer it to ignorance, mistake, or the total absence of all principle; but he believed he might say, that these three rottennesses, or ulcers, were chargeable not only on schedule A, but on the whole Bill. It would take a whole year before a man could make himself master of the facts on which it was proposed to disfranchise each of these boroughs. He was by no means satisfied, that the sober judgment of the House might not yet review the decision which the Committee had come to yesterday in the case of the borough of Appleby. Without going further into the merits of the present question, he could only say, that he saw no reason why, in legislating in 1831, they should take the *status* or condition of the population upon the estimate of 1821. The argument urged by reformers out of doors was, that Brighton, Cheltenham, and other unrepresented places, were not so large in 1821 as they were in 1831; but no allowance was made for the increase of population in the old boroughs. His Majesty's Ministers said, in reference to the old boroughs, that the census of 1821 must be adopted as the test, and all the Gentlemen on the other side of the House were called upon to support the measure without the slightest modification. For instance, the members of the city of London were handcuffed, tongue-tied, bound hand and foot to support every clause of it. He could assure his Majesty's Ministers, however, that, if they really intended to carry this Bill, they must depend, not upon votes, but upon arguments. It would be vain for them to expect that the Members of that House would suffer themselves to be carried thick and thin through the dirt and filth of "the Bill, the whole Bill, and nothing but the Bill." If they expected to keep up a majority by the senseless cry of "the Bill, the whole Bill, and nothing but the Bill," they would find themselves wofully disappointed. They would find that the bond of union between them and their adherents would soon be dissolved.

Mr. *Praed* said, the census of 1831 ought undoubtedly to be consulted, for it would be highly inexpedient to take away

the right of voting from places where the population was increasing, and leave it to places where the number of inhabitants was becoming less.

Lord *John Russell* assured the hon. Member, that wherever he could point out any instance of the kind, it should be immediately attended to.

Motion agreed to.

Lord *John Russell* then moved, that the name of the borough of Beeralston stand part of the first clause. He wished to explain the circumstances of this borough. By the population returns of 1821, it appeared to contain not less than 3,000 inhabitants, but that was by including the parish of Beerferris, in which it was situated. In a return which had been laid on the Table, it was stated, that the limits of the borough are not the same as those mentioned in the population returns of 1821, namely the parish of Beerferris. The borough is within, and comprises only a part of the parish of Beerferris, and is supposed to contain about ten acres of land. It is believed that in 1821 there were about 109 houses in the borough, and about 400 male inhabitants. By the returns under the assessed taxes it appeared, that in the whole borough there was only one house rated higher than 10*l.* a year. The taxes paid by it during the last year only amounted to 3*l.* 9*s.* The right of voting in the borough was by burgage tenure. The voters were not resident in the borough, and not otherwise connected with it—and still less were they connected with the populous parish in the neighbourhood. It was a most decayed borough, which could not be cured by letting in the neighbouring householders; and, therefore, he had no hesitation in placing it in schedule A.

Sir *Charles Wetherell* proposed to call the attention of the House to the question of burgage tenures when they reached the borough of Bletchingly, and he should then be happy to assist in saving that borough, and he trusted his exertions would be seconded by the vote of the hon. Member opposite (Mr. Tennyson) and also that of the noble Lord, the Secretary for Foreign Affairs. He would not, therefore, enter into a discussion then on the subject of burgage tenures, but would reserve what he had to say, till the case of Bletchingly came under the notice of the House.

Sir *Robert Peel* reminded the noble Lord, that the case of Beeralston came

precisely within the line which he proposed to adopt with regard to other boroughs which were allowed to include the population of the parish in which they were situated. The first decision of the former evening settled the question of adopting the census of 1821; the second decision confirmed the principle laid down by the noble Lord, that where a borough was composed of parts of different parishes, or was not situated wholly in one parish, the population of the different parishes should not be included in the borough. Beeralston was in one parish, and therefore not open to the distinction which the noble Lord had taken in the case of Appleby last night, when he refused to allow its claim to be placed in schedule B, because it happened to extend into two parishes. Beeralston and Beerferris had upwards of 2,000 inhabitants in 1821, the borough was situated in the parish, and yet the noble Lord placed it in schedule A. How did the noble Lord reconcile this contradiction. After laying down a rule, it would be most inconvenient to depart from it. If the House, therefore, adhered to the rule of taking the population of 1821, and to the rule of taking the parish and the borough as one, when the borough was situated in one parish, Beeralston must be removed from schedule A, and it was only by violating both his own rules that the noble Lord could preserve it where he had placed it. He was not going to discuss the question of burgage tenure, and without entering further into the subject, he must say, that it would be fair to take but one discussion on the principle involved in the question connected with these boroughs, and contenting himself with protesting against the course pursued towards Beeralston and the parish of Beerferris, he should propose, that the case of Downton be argued as for the whole of them. The hon. Members on his side of the House were frequently taunted with favouritism and partiality in the selection of the boroughs which they made the subject of discussion. Now, without making any observations on the propriety or impropriety of that accusation, he would say, let them take the borough of Downton, the nomination of which was in the hands of a noble Lord, a supporter of Ministers. On that borough, which was precisely in the same state as Beeralston and several others, he proposed, therefore, to take the general debate, with

the understanding, that the fate of Beeralston and all the others was to be decided by the vote on Downton; and without, at the same time, precluding himself from moving that Beeralston be excluded from schedule A, or from adopting any further proceedings he might think necessary on bringing up the Report.

Lord *John Russell* was quite willing to accede to the proposition of the right hon. Gentleman, the fairness of whose conduct throughout the debates on the Bill merited his warmest approbation. The right hon. Baronet had, with great fairness and candour, contented himself with applying his arguments to the question immediately before the House, and to that only, without taking up their time by any further discussion of the principle; and while he (Lord J. Russell) felt bound to express his acknowledgements for that course of conduct, he might also say, that he wished the right hon. Baronet would give a hint to his learned friend (Sir C. Wetherell) who sat beside him.

Lord *Milton* said, it was perfectly clear that Beeralston did not come within the rule laid down by the noble Lord in exempting boroughs from disfranchisement. Buckingham and Aldborough were at first placed in schedule A, then transferred to schedule B, on the principle that they contained upwards of 2,000 inhabitants each, and the chief seat of the borough and parish were one and the same in each. Beeralston, on the contrary, was only a small spot of ground within the parish of Beerferris. In the other cases, as well as Reigate, the seat of the elective franchise and the seat of the borough were coincident. He was of opinion, therefore, that Beeralston came clearly within the rule, although he saw reasons why Downton and St. Germain's should not be included in schedule A.

Sir *Robert Peel* must look at the noble Lord rather as an ally than an opponent. "The parish and borough had different names, and were not identical," said the noble Lord. He was aware of that, as it was also the case with Tamworth; there the borough was quite different from the parish; so in the cases of Horsham and Calne, the ecclesiastical divisions of parishes had been admitted to save them. For these reasons he contended, that although Beeralston and Beerferris were not identified, still, as the principle of conjunction had been admitted in other cases, it ought also to be extended to this case,

Lord Milton :—In the cases of Tamworth, Calne, and Horsham, there is this difference, as compared with Beeralston, that in the three former, the principal seat of the elective franchise, and the chief seat of the parish and of the population, are identical, which is not the case with the latter.

Sir Robert Peel :—What, then, is the metropolis of Beerferris?

Lord Milton :—Beerferris.

Mr. Croker believed, the noble Lord was in error; there was no township of Beerferris. In point of fact, Beeralston was the capital of the parish, for in the population returns, no such town as Beerferris appeared.

Lord Milton :—Beeralston is only a particular plot of ground, situated within the parish of Beerferris, and is not coincident with it.

Mr. Croker :—Beeralston is the capital of Beerferris, as London is of Middlesex.

Sir James Scarlett said, they were legislating upon names, and not things. What would the public think of such quibbling? If Beeralston had the good luck to be called Beerferris, it would not have been in schedule A.

Mr. Praed said, that he should like much to know what was the principle which the Ministers proposed to adhere to. Last night they would not give the franchise to a borough which was situated in two parishes, and on this night they would not listen to the claims of Beeralston, although it was all in one parish.

Mr. Stanley denied, that there was any change of principle, and thought it would be well if hon. Members were reminded that the parish of Beerferris, for the rights of which they were contending, was not in a condition to lay claim to exception from disfranchisement: for it would be found that it had, at present, but 1,840 inhabitants.

Mr. Croker begged to ask, who it was that now raised anew the questions which had been already decided by a vote of that House? Who was it that now reverted points which had been already agreed to to and determined? His right hon. friend (Sir R. Peel) had, in all candour and fairness, abstained from adverting to this point. He repeated, that his right hon. friend, with a candour and fairness which had but the moment before been complimented by the noble Lord, abstained from touching on this point; because, as

the House had already decided, they were not to take into consideration the increase, so also he thought they were not called on to mention the diminutions in the population; and yet it was on that ground that the right hon. Gentleman, one of the most prominent of his Majesty's Ministers, now stood up and justified the course pursued towards Beeralston.

Mr. Praed would not say anything more at that moment on the subject of the defence of principle, made by the right hon. Gentleman (Mr. Stanley), than that he had escaped by an inconsistency from falling into an absurdity.

The question, "That Beeralston stand part of the clause," put and agreed to.

Lord John Russell moved, "That Bishop's Castle stand a part of the clause."

Mr. J. L. Knight said, that after the decision which the House had come to with respect to Appleby, he should content himself with protesting against the course adopted towards Bishop's Castle. He begged, however, to remind the House, that the right of voting there was not by burgage tenure, but by inheritance, derived from a long line of ancestors, and that the voters comprised men of all classes and professions, from the highest down to the humble artisan. Bishop's Castle had possessed the right of sending Members to Parliament from the days of Elizabeth, and ever since that time had increased in population and importance. There was no pretence whatever for saying that it was a decayed borough. Of the burgesses, there voted at the last election 190, while upwards of 200 more were absent, either from minority or on account of their residence elsewhere. The population of the place, too, was 1,800 or 1,900 in the year 1821. He believed it was now much above 2,000, and he could say, with truth and sincerity, that the electors exercised their privileges as free from any improper bias as any body of men in the kingdom. It was not a nomination borough. There had been contests for its Representation, and a Whig Member sat for it in 1821. A gentleman of Whig principles offered himself to the electors at the late election, but met with such a reception that he soon retired. The only influence, however, which the burgesses acknowledged was that of kindness, and the affection which was kindled by the exercise of those virtues which the noble Lord had dwelt on as likely to be increased by the conse-

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quences of his Bill. He should, however, content himself with protesting against the decision of the question at that moment, and reserve the right of moving hereafter that Bishop's Castle be taken out of schedule A, either by a union with some other borough, or in any manner he found it convenient to propose.

Lord *John Russell* said, the influence usually exerted in this borough was one which the House had joined in reprobating, as most injurious to the character of Parliament—he meant bribery. Could anything tend more to shake the confidence of the public in the wisdom of Parliament, than the offence of bribery and corruption? It was notorious, that the returns from Bishop's Castle were influenced by that principle, and he was, therefore, decidedly of opinion, that it ought to be continued in schedule A.

Mr. *Cresset Pelham* said, that the Bill conferred no boon on Shropshire, except that of giving it two additional Members for the county; but if Bishop's Castle was disfranchised, the county would lose the two in one way which it gained in the other. He denied, that Bishop's Castle was influenced by the corrupt practices of any man—it was surrounded by many residents of family and fortune, who, for the last century, had been generally returned for the borough. In his opinion, the virtues of the noble Peer who was said to have the power of nomination, made him reign in the hearts, and not in the pockets, of the inhabitants.

Mr. *Rogers* called on the noble Lord (John Russell) to lay before the House some proofs of that bribery which he charged against the voters of Bishop's Castle. There had been but one attempt of the kind, and that was made in 1821, by a Whig gentleman, who was afterwards unseated by petition. He denied, that it was in the power of the noble Lord to mention another instance of the kind. But supposing it had been, did the noble Lord mean to say that bribery was to be the test of disfranchisement? If so, he called on him to place in schedule A the boroughs of Evesham, Stafford, Liverpool, and all those where bribery had taken place. If he did not do so, then let him withdraw his articles of impeachment against Bishop's Castle.

Sir *John Brydges* said, that this measure, when completed, would retain little of the features of the original Bill, except that

of spoliation. The noble Lord had said, that where a case could be made out in the Committee in favour of any particular borough, it should be considered; but he would ask, had he acted up to that declaration? The noble Lord had voted against the exemption claimed for Appleby, backed, as he was, by a delegated majority. Yes, he said a delegated majority, fabricated upon the delusions of the people. The Minister's fiat was to be obeyed, and that fiat was conveyed in the words—"*Sic volo, sic jubeo; stat pro ratione voluntas.*" He had hoped, that many who had voted for the second reading would have supported the claims to exemption of all those boroughs which were able to make out a valid case. But, after what had passed last night, he feared that he had entertained a vain hope. If there was any borough which more than another deserved the favour and assistance of those Gentlemen, it was Appleby. The manner, however, in which its claims had been rejected was most arbitrary and unjust, and he looked for nothing from the majority, but a senseless obedience to the Ministers. How those, however, who had set out by declaring loudly for "the Bill, the whole Bill, and nothing but the Bill," could reconcile their support of the measure at present before them, which was anything but the Bill, he was at a loss to comprehend. The best thing that Ministers could do, would be, to withdraw the Bill altogether [*a laugh*]. Gentlemen might laugh, but he hoped that his Majesty's Ministers would give an opportunity which would be agreeable to many of their adherents, to withdraw from supporting a measure so totally different from the measure to which they had pledged themselves. He felt but little hope of success in his appeal, from the spirit which he had seen manifested; but considering this Bill as a Bill of spoliation—a Bill of revolution—he looked upon it to be the duty of Gentlemen at that side of the House, if they could not impress upon the House at large the mischief which this Bill was calculated to produce, at least to make it known out of doors. In fact, the public were already beginning to be aware of the dangerous consequences likely to result from the Bill, and no longer demanded it with the same eagerness as formerly. There was a reaction taking place, and if Gentlemen at that side of the House did their duty, he had no fear for the result,

being quite confident that the Bill never could be carried through Parliament.

Mr. J. L. Knight said, it was hard for Gentlemen at that side of the House to know how to act. If they felt it their duty to go to a division, they were styled factious by the noble Lord, and were said to have no other object than to retard and obstruct the measure. If they avoided going to a division, and consented to any particular proposition for the sake of argument, they were met with vague and general vituperation. He would ask, whether the charge of bribery and corruption, which had been made by the noble Lord, was material or immaterial to the case now before the Committee? If it was immaterial, what right had the noble Lord to make the accusation? And if it were material, he demanded the proof. In short, did the noble Lord proceed upon bribery and corruption as the ground of the disfranchisement of this borough, or did he not? If he did, then he (Mr. Knight) was entitled, on every principle of reason and justice, to demand proof of the accusation, and he should be quite ready to meet the noble Lord and the accusations of his reforming friends. But the fact was, that nothing was considered out of place in attempting to justify this measure. When its supporters were driven out of nomination, they fell upon population—when they were driven out of population, they fell upon nomination; and when deprived of both grounds, they had recourse to bribery, and to vague and unfounded insinuations.

Lord John Russell said, he had no hesitation in repeating what he had so often declared already—namely, that the test which had been taken, was population. But when the hon. and learned Gentleman held up this borough as one containing a most respectable constituency, and proceeded in a strain intended to excite a feeling of compassion on account of the proposed disfranchisement of so respectable a community, he thought it was quite competent to him to say, that while the hon. and learned Gentleman did not affect to deny, that the constituency was less than 2,000, the Committee ought not to be persuaded that it was so free and independent a borough as the hon. and learned Gentleman represented. It was not entitled to be removed from the situation in which it had been placed, on account of its being neither under

direct nomination, nor liable to have the Members returned by general and profuse bribery. He was in possession of many particulars relating to this borough, which he had not entered into, merely because they were incapable of proof there. And, with respect to the proof which the hon. and learned Gentleman called for, he knew full well, that if they had contrived a plan of Reform in which it would be necessary to go into each case, and to institute a minute inquiry whether a majority of the electors were bribed, or whether the borough was under the nomination of a patron, the hon. and learned Gentleman, he said, must know full well, as the House knew from past experience, that the Reform Bill would be like a Chancery suit—in which we should have references to the Master, reports from the Master, further directions, and so many other tedious processes, that the question might be going on like a cause in that Court, for twelve or fourteen years, and that the substance of the people's rights would, like the substance of the unfortunate Chancery suitor's property, be wasted by those who kept it so locked up. He had stated the test which his Majesty's Ministers had taken, and by that test they meant to abide. He was, at the same time, quite willing, when any hon. Member said, he would not divide the Committee upon any particular question, to say, that he ought to be allowed to make whatever funeral oration he thought proper, and to deck, with whatever pomp of mourning eloquence he could command, the obsequies of the borough in which he was interested. All that he had done, when the hon. and learned Gentleman set forth the merits of this borough in such an exuberant manner was, to hint that the hon. and learned Member's allegations in its praise were not altogether to be taken for granted.

Mr. Goulburn observed, that if he understood the object of the supporters of the Bill, it was, that in a reformed Parliament the Members should faithfully represent the sentiments, and warmly defend the interests, of the places by which they were sent to that House; and yet the noble Lord taunted his hon. and learned friend for doing precisely that which the supporters of the Bill contended it was the duty of every Member to do. He admitted, that the principal basis of the Bill was population: but what right had the noble Lord

in supporting it, to bring a charge of bribery against the borough? It was the very case in which no charge of that kind ought to have passed the lips of the noble Lord; who ought to have recollected, that when an election petition, complaining of an undue return for Bishop's Castle, had some years ago been referred to the consideration of a Committee, the Committee determined against the sitting Member—on the ground of bribery? No; but because there being an equality of votes, one of his voters was proved to have been a minor at the time of the election. If there was any instance of bribery in the borough, it should be remembered, that it had been practised by a Whig and a Reformer. He was not at all surprised that his hon. and learned friend should have shown some warmth in the defence of the rights and character of the place which he represented, attacked as they had been by the noble Lord, who had not brought a shadow of proof to support his assertions.

Sir *E. Sugden* said, he was very much surprised to hear the observations of the noble Lord opposite, holding the situation which he did. He was astonished to hear the noble Lord, who must be supposed to speak the sentiments of his Majesty's Ministers, treat the highest Court of Judicature in the country with ridicule and derision. And the noble Lord now laughed at this remonstrance. The noble Lord had talked of the funeral orations which, he said, those at the Opposition side of the House pronounced. He relied upon his majorities. It was insulting to the persons who sat at that side of the House to treat them in such a manner. When the noble Lord should sit in a reformed Parliament, he would find himself in a very different situation, and would have very different persons to deal with from those over whom he was now endeavouring to lord it. The observations of the noble Lord, relative to the Court of Chancery, were more out of place, and more ill-applied, than any that he had ever before heard. There was property of the public in that Court amounting to many millions. Their dearest interests were pending in that Court, and the noble Lord held up to the suitors, that if he were to give way for a day or two in the consideration of this measure, he would place the rights of the constituency of England in the same painful situation in which the rights of the suitors of the Court of Chan-

cery were placed. He would tell the noble Lord, when he made such observations, that he was utterly ignorant of all that was passing in the Court of Chancery; that he knew nothing of the nature of the Court, and was speaking of that which he did not understand. He would ask, how it was possible to inculcate respect and obedience to the laws of the country if a member of his Majesty's Government were to speak thus lightly, and, he would say, improperly, of the jurisdiction of the highest Court when it was not before the House? He would recommend the noble Lord and those around him to inquire into the nature and conduct of that Court, of which they seemed to be perfectly ignorant, before they took it upon themselves so insultingly to censure it. The noble Lord and his friends, when in Opposition had promised to make great reform in that Court, but they had yet done nothing. If his Majesty's late Ministers had remained in power, he would take it upon him to say that all the real defects in that Court, would before now have been got rid of. Those who cried out most for reform were not, in fact, the most efficient or speedy reformers. The great charge the noble Lord now urged against his opponents was, that they wanted delay; but it was delay only to make the Bill what it ought to be. The noble Lord was hurrying it through the House, without any regard whatever to consequences. The noble Lord and his friends appeared to think, that three weeks or a month's attention would be too much to bestow upon the repairs of a Constitution which had been the pride and the glory of this country for 150 years, and upon those alterations, the result of which no man could foresee. It was worthy of remark, that the alterations which had been made in the Bill arose entirely from suggestions made from the Opposition side of the House; and it was therefore not too much for them to expect courtesy of manner in these discussions, and that the noble Lord should not, reckoning upon his majorities, and confident of his success, treat his opponents as if they were no longer Members of that House. If that course were persevered in, it would be necessary for Gentlemen at the Opposition side of the House to place themselves before the country in such a manner as to show that they had honestly, though vainly, endeavoured to do their

duty. But he hoped that the indecencies which had been exhibited at the other side of the House at an early stage would not be renewed.

Lord *Althorp* said, that he had never listened with more surprise than he had now done to the tone assumed on this occasion by the hon. and learned Gentleman without the slightest provocation. His noble friend had been attacked by the hon. and learned Gentleman opposite on two grounds. One was, that he had alluded to the Court of Chancery. He was sorry to say, that, whether rightly or wrongly, that was an allusion which they very frequently heard in that House when delay was complained of. The other was, that his noble friend had insulted the Opposition; a charge that appeared totally groundless. The hon. and learned member for Bishop's Castle had also surprised him much by his attack, because he was quite sure that his noble friend had meant nothing discourteous to him. But that hon. and learned Member, in a state of irritation which greatly exceeded any provocation he had received, made an attack upon his noble friend. The hon. and learned Gentleman had paid him the compliment of saying, that he wished to preserve good temper in the discussion. He certainly did wish it. He thought it necessary to the satisfactory consideration of the measure, that all personal attack and altercation should be avoided; and he must say, that, in what had occurred to-night, his noble friend was not to blame.

Mr. *George Robinson* said, he was sorry to observe, that moderation was not always practised, though it was so very desirable, in these discussions. With respect to what had occurred this evening, he would mention two attacks which had been made by those who were opposed to the measure of Reform upon all who supported it, and which had been suffered to pass unnoticed. He believed, that those who, like himself, supported the Bill, without being, in any manner, pledged to its various details, heard, as he certainly did, with very great pain, and very great indignation, the insinuations thrown out by an hon. Baronet near him, that they were a delegated majority; and, as an hon. and learned Gentleman below him said, a majority dragged through the dirt of that House. If they sat silent, and did not notice these attacks made upon them night after night, they were taunted with being incapable of re-

plying to the charges and the arguments of their opponents, and they were taken for granted, in consequence. Speaking of the sides of the House—on which point, by the way, he had no preference—he did not see that either side was strictly free from blame in these attacks. But the country, which—without caring for the different sides of the House, looked to see if the House of Commons, assembled with a view to consider the question of Reform, did its duty—the country would not be satisfied, if it saw that House, night after night, wasting its time in quibbling upon learned criticisms, and disputing about terms. He never interrupted the hon. and learned Member, but he could assure him that in not doing so he had exercised a great deal of forbearance, hearing him, as he did, night after night, use the same terms—he would not call them arguments—repeating the same phrases, and, after decisions had been pronounced by the House respecting the principle of the Bill, going back to the details, and travelling about in such a manner, that it was impossible to listen to him with any degree of patience. The hon. Baronet near him (Sir J. Brydges) had made a speech, which he thought would have been better adapted to the second reading of the Bill than to the present stage. The hon. Baronet said that the people of England were under a delusion. He said, that they had sent delegates to that House for the purpose of supporting the Bill, the whole Bill, and nothing but the Bill; and he taunted those who supported the measure, as it now was somewhat modified, for inconsistency, because they had pledged themselves to support the Bill, the whole Bill, and nothing but the Bill. Why, as he understood the last elections, connected as he was with a populous city, and having had occasion to canvass 1,300 or 1,400 of his constituents, it appeared to him that the people of England were not so easily deluded as the hon. Baronet imagined; or, if he thought they were, he recommended him to go down to Worcester amongst his (Mr. Robinson's) constituents, and try his chance of success with them. What he understood by the cry of the Bill, the whole Bill, and nothing but the Bill, was, that the people meant that those whom they should send to that House should support some measure commensurate to that proposed by his Majesty's Ministers, and which would give the people that control and power in the election of Members,

which they thought they ought to have, and believed the Reform Bill would give them. If the question was to be discussed as it had hitherto been, he saw no prospect of arriving at the termination of their labours. A right hon. Baronet had said, that there were points connected with many of the boroughs which involved some certain principle, as well as the details; and he had suggested, that where ten or twelve boroughs were similarly circumstanced, whether the point referred to nomination or population, the decision of the House should be taken on the case of one borough; and thus Gentlemen would be prevented, at least, by the courtesy which governed them in such understandings, from involving the House in these perpetual and endless discussions. That suggestion he cordially approved of, and trusted it would be acted upon. At the same time he must say, now that the Bill was in the Committee, it would no longer be proper to go into general discussions on the principle of the measure. He was satisfied that, unless a tone of moderation and a principle of fairness were adopted in all these discussions the people would consider, that the Members of that House were wasting the public time in a manner disgraceful to themselves, and injuriously to the national welfare.

Sir C. Wetherell could not charge his memory with having re-opened the debate on any principle of the Bill which had been settled by the decision of the House. A noble and learned friend of his (for so he should always consider him, although no men could differ more completely on many points, than he did from his noble friend), then Mr. Brougham, now, Lord Brougham, had said, that "the schoolmaster was abroad." He (Sir C. Wetherell) did not know where this schoolmaster was to be found; when lo! forth he came that evening, in the person of the hon. member for Worcester. He was quite ready to pay this tribute to the noble Lord opposite, that, although the noble Lord supported his opinions with warmth, he did not assume the schoolmaster in so doing. But for the hon. member for Worcester to have the miserable affectation of taking upon himself the office of schoolmaster was an absurdity indeed. Why, even the reformed Parliament would not dignify the hon. member for Worcester with the office of their leader, or cloathe him with the scholastic character. He

must be permitted to tell the hon. member for Worcester, that he was not the schoolmaster alluded to by his noble and learned friend. The hon. member for Worcester, in taking upon himself the office of admonishing the Members of that House how to comport themselves, had played the part of schoolmaster in a very odd manner. For of what did he complain? He (Sir C. Wetherell) had said, that the expression of "the Bill, the whole Bill, and nothing but the Bill," was a senseless one; and for this expression the hon. member for Worcester, in his capacity of schoolmaster, lectured him, while he admitted that the expression was senseless. The hon. member for Worcester might depend upon it, therefore, that he was not the schoolmaster—the Roger Ascham—meant by his noble and learned friend; since he censured persons for doing what he, at the same time, allowed to be right; and the hon. member for Worcester might also depend upon it, that if he persevered in the assumption of the character of a schoolmaster, he would find that House a most refractory, disobedient, and rebellious school.

Sir John Brydges said, the hon. Gentleman, the member for Worcester, had charged him with improper allusion to the borough of Appleby, and Great Bedwin which had been disposed of last night. He denied, that he had made any remarks irrelevant to the question then before them. Again, the hon. Gentleman had found fault with the expression, "the Bill the whole Bill and nothing but the Bill;" that phrase had been first uttered by some of the Ministers or their supporters, who therefore were the parties liable to the hon. Gentleman's censures.

The question that "Bishop's Castle" stand part of the clause, put and carried.

Lord J. Russell moved, that Bletchingley stand part of schedule A.

Sir Charles Wetherell said, that as he had the honour to represent one of those boroughs, which were commonly known by the name of burgage tenure boroughs, he wished to say a few words upon this question. The borough of Bletchingley was a pure burgage tenure borough and he had expected, that before they came to the annihilation of boroughs of this description, some person connected with the Government would have felt it necessary to explain to the House what was the bearing of the present measure upon such bo-

roughs. He had expected this, because it must be notorious to all Gentlemen who had paid the least attention to the constitution of the House of Commons, that the sources by which Members were returned to that House were extremely various. Members were sent from large cities by the freemen—from boroughs which were close corporations—from boroughs where the right of voting was in the freemen at large—and from boroughs which were called scot-and-lot boroughs. They had these, and they had various other species of the elective franchise; but the burghage tenure franchise was a species by itself, separate, distinct from, and not allied to any other species of franchise whatsoever. That phrase, which had now (to use an elegant expression of the hon. member for Worcester) become a cant phrase, he meant the phrase of “rotten boroughs”—could not be applied to burghage tenure boroughs. At another and more convenient time he would go fully into this subject. At present he was only opening the consideration of it. Now, it might be true, that some places which had formerly been places of great account had now fallen into decay; it might be true, that in some places, where the population had formerly been large, it had now become small; it might be true, that in some places, the constituent body had formerly been independent, whereas it was now under influence and control; it might be true, that in some places, the constituent body had from time to time so fallen away, that there was no longer any of it left. All this might be true; and the principle of this Bill was, that, as many places which now returned Members were formerly large and had now become small, it was necessary to enlarge the elective franchise in them. He did not say, that this was a good principle; but such as the principle was, this was the nature of it. Now, he called the attention of the gentlemen opposite to this point. He said, this was his position, that a burghage tenure borough was the same now—was the same in 1831—as it was centuries ago, when it was first created; and, consequently, that the principle of this Bill had not the smallest application to burghage tenure boroughs. This was a point which Mr. Canning had urged with his wonted force and ability, in a speech which he made in that House against Reform; and to this point, therefore, he thought that he had a good right to challenge the serious

attention of at least the Canning section of the Cabinet. He trusted, that Mr. Canning was an authority respected by the House. The advocates of the Bill might tell him that Gatton was a scot and lot borough, and that no sound objection could be made to its disfranchisement, in consequence of the change which time and events had made in its circumstances; but he could assert that Bletchingley ever had been what it now was, incapable by the very circumstances which placed it upon the constituency, of being disfranchised. The burghage tenure boroughs had been constituted, not on the basis of property so called, nor on the basis of numbers—no change which was likely to affect other parts of the Representation system could affect them—no improvement, no decay, no exclusion, could operate in any manner upon them. If gentlemen admitted this proposition, they must also admit the consequence of it—namely, that the Constitution of burghage tenure boroughs rested neither upon the basis of numbers nor upon the basis of Representation. In them there had been no decay—in them there had been no usurpation. This was the point to which he called the attention of, and which he wished to be answered by, some member of the Cabinet—some member of the Canning section of the Cabinet he should like best. He said some member of the Cabinet, because he did not wish to force it upon the noble Lord who had the conduct of the Bill. It was too much, that that noble Lord should have been subjected to the operation, to use an academic phrase, of being crammed, within a few short months, with all the learning necessary for the discussion of all the parts of a Bill like this. He would ask the advocates of the Reform Bill, how they could make it out that the Representation of the House of Commons was *ab origine* a Representation founded on numbers? He would ask them, what they meant by restoring the Constitution if they proceeded to extinguish those boroughs which confessedly had nothing to do with population, but had been granted to the owner of the property as a counterbalance to the power of the democracy. But the senseless cry of “rotten boroughs” had been raised, and under that false denomination the burghage tenure boroughs were proposed to be disfranchised. One might be inclined to think, on hearing some Gentlemen talk of decayed boroughs, that each

of such boroughs had formerly been an Athens, a Tyre, a Thebes, a Rome, or a Carthage—crowded with thousands of artisans, rich in manufacturing and commercial greatness, and flourishing as vast emporiums of all that was valuable, but which, from various causes which historians had forgotten to mention, had tumbled into ruins. Let all this be true of what were called the decayed boroughs; but no one word of it could be true when spoken of burgage tenure boroughs. It might indeed be said, that burgage tenure boroughs were in fact nomination boroughs [*cheers.*] Let Gentlemen cheer; he was not going to deny that they were nomination boroughs; but he put it to the Gentlemen opposite to tell him, whether it was not notorious that the basis of the constitution was nomination;—whether it was not notorious, that to the Lords were given the power of parcelling the tenements on burgage tenure as they pleased; whether this power was not vested, by set purpose and design, in the Lords, who might create forty voters, or 400 as they pleased? He put it to the Gentlemen opposite to tell him whether this power was not designedly given to the landed aristocracy, and whether the object of giving it was not to create a peculiar sort of Members? He called upon the apostate member for Bletchingley, who was to be the high priest at the sacrifice of it, and upon the noble Lord, the Secretary for Foreign Affairs, and upon his learned friend, the Solicitor General, who ought to be chief mourners at its funeral—he called upon them to answer him upon these points, if nobody else would. Now, he hoped that he had argued this question properly, as he assured the Committee he had intended to do, and that he had not gone afloat into the principle of the Bill. Perhaps he had detained them a little too long; but before Bletchingley was executed, if it was to be executed—before the Chairman put the dismal question, *fiat executio*, on the borough of Bletchingley—he had thought it right to say thus much upon it, because it was a burgage tenure borough—because it had not committed the sin of falling-off, or decaying, or being changed—and, finally, because, as its last Representative would have been a noble Lord eminent for his acquirements, and his talents, and his abilities—he was sure he need not say, that he meant the noble Secretary of State for Foreign Affairs—he had thought it ought not to be slain and interred without

some little eulogistic mention which might mark its fall to posterity.

Lord *Althorp* said, that he did not intend to follow the hon. and learned Gentleman through his historical detail, and that he should not attempt either to controvert the positions which the hon. and learned Gentleman had laid down, or to argue with the hon. and learned Gentleman upon the original constitution of burgage tenure boroughs. At the same time, though it might appear to be very great presumption in him, he must say, that he was very far from being prepared to admit all that the hon. and learned Gentleman had said upon these points. But the hon. and learned Gentleman had asked, why the Government proposed to include in the disfranchising clause burgage tenure boroughs? He would answer this question of the hon. and learned Gentleman. The hon. and learned Gentleman had argued, that as such boroughs were now precisely in the same condition as they had ever been, it was not fair to call them decayed boroughs. But whether they were decayed boroughs, or whether they had always been as badly constituted as they were at present, and consequently could not be said to have become any worse, were not the questions for consideration. The question to be decided was, whether they were or were not inconsiderable boroughs; for the proposition stated in the preamble of the Bill was, that it was expedient to take effectual measures to deprive inconsiderable places of the right of returning Members to the Commons House of Parliament, and that the abuses that had long prevailed in the choice of Members could only be corrected by granting the elective franchise to large and populous towns, and extending it to the inhabitants generally in such places where it was at present limited to a few, and where there were inhabitants enough to form a respectable constituency. The hon. and learned Gentleman had said, that burgage tenure boroughs returned a particular class of Members, and seemed to think, that the Ministers were bound to prove, that it was safe and proper to get rid of that class, whose return was vested in the landed aristocracy. On that point he was quite prepared to meet the hon. and learned Gentleman. He was far from thinking—nay, he utterly denied—that the continuance of this power would be advantageous to the landed aristocracy of

this country. He admitted, that it increased the influence of certain individuals of the landed aristocracy who happened to be possessed of these boroughs, but it certainly did not confer any advantage upon the aristocracy or the landed interest generally. The measure which they proposed was much more fair to the community at large, while at the same time it was much more advantageous to the landed interest; for while it gave Representation to the people generally, it secured also to the landed interest generally, and not to a few persons only connected with that interest, those fair advantages and that legitimate influence which the possessor of landed property ought to enjoy. Did the hon. and learned Gentleman mean to say, that the landed interests, and the interests of the aristocracy, were served or promoted by the existence of those nomination boroughs? Those close boroughs were an abuse, and as such they brought odium and dislike on the whole body of the aristocracy of the country. Instead of being an advantage, then, as had been contended by the hon. and learned Gentleman, the existence of such boroughs constituted a positive disadvantage to the aristocracy, for as long as they existed, the members of the aristocracy would not stand as well as they ought with the people of England, who called for the disfranchisement of all such close boroughs. The hon. and learned Gentleman had argued the present matter very fairly, he had not travelled out of the case; and the ground, as he understood, upon which the learned Gentleman had rested his opposition to the disfranchisement of this borough was, that it was one which afforded an instance of simple burgage tenure, and that it could not be described as one of those decayed boroughs which the Bill proposed to cut off. Without denying, that the tenure in this borough did not differ from that which it had been originally in the first instance, he begged to observe, that this borough came within the class of those inconsiderable boroughs which, when it was proposed to effect an alteration, in accordance with the general and well-established principles of the Constitution, it was impossible to allow to remain any longer in existence. But, said the hon. and learned Gentleman, "You cannot call this a restoration of the ancient principles of the Constitution." This individual borough, ever since it obtained

the right of sending Members to Parliament, has remained precisely in the same state, and when you disfranchise it, you cannot say, that you are returning to the ancient principles of the Constitution." When he and his colleagues spoke of the Constitution, they spoke of it as a whole, not of its individual parts; and when they talked of re-establishing the Representative system upon the ancient principles of the Constitution, they meant that Constitution by which the people of this country were entitled to be fully, freely, and fairly represented in the Commons House of Parliament. The measure which his Majesty's Government proposed, therefore, was a restoration of the ancient principles of the Constitution, though it might destroy some boroughs which had existed up to the present day in the same condition that they had been at their original establishment. Viewed as a whole, it could not be denied, that the measure was a restoration of the ancient and undoubted principles of the Constitution. He denied, that the principle of the Bill was merely to destroy decayed boroughs, as the hon. and learned Gentleman had argued. The principle of the Bill was, to cut off all inconsiderable as well as decayed boroughs, and to establish the Representation of the people upon its ancient, comprehensive, and constitutional basis.

Sir *R. Peel* said, that the noble Lord, in the speech which he had just made, had opened the discussion anew into the whole principles of the Bill. He must enter his protest against the doctrines which had been laid down by the noble Lord. The noble Lord said, that when they looked at the measure as a whole, they would see that its object was, to give to the people a full and fair Representation in Parliament, and that, as such, it might be justly described as a restoration of the ancient principles of the Constitution; for that those principles were, that the people should be fully and fairly represented in the Commons House of Parliament. Now that involved the fallacy, that the people of this country ever had the right which it was proposed to give them by this Bill. He would deny, that the phrase, "the people of England," ever meant the people of England as they were polled by this Bill. What was meant by the people of England, when he spoke of the Representation of the people of England in ancient times, consisted

in the great Corporate bodies, and those great classes of the community to whom the franchise was intrusted, and of whom the Members sent to Parliament were the Representatives. But the word "people" was never used then as it was in the present Bill—it was never used so as to mean 10*l*. householders who had never hitherto possessed a right to that franchise, which it was now proposed to give them. The elective franchise, as it had been established in England in former times, had never existed in the form in which the present Bill proposed to establish it, but in a much better, more practical, and more beneficial form. He was far from denying, that a sentiment of dissatisfaction had been expressed throughout the country with regard to what were called nomination boroughs; but that dissatisfaction, and that clamour, with respect to those boroughs, he felt justified in attributing entirely to the manner in which this measure had been brought forward by the Government, under the sanction of his Majesty. The Ministers themselves had excited that clamour, which they pleaded as one of the grounds for disfranchising those boroughs. So far as burgage tenure boroughs were concerned, they certainly could not be described as any usurpation on the rights of the people. It was said, that the possession of such boroughs could not be advantageous to the aristocracy, and, indeed, the Lord Advocate of Scotland had argued, upon a former night, that as the right of returning Members from such boroughs was vested in individuals, it was not probable, that it could be exercised for the benefit of the general body, and that, in fact, the possession of such boroughs was disadvantageous to the interests of the aristocracy at large. But though the power might be vested in the hands of a single individual, was it to be supposed that it ever would be used by him for the promotion of his individual and personal interests, and not for the promotion and support of the interests of the general body to which he belonged? If, for instance, they should give Members to Birmingham, was it probable that those Members would attend only to the interests of Birmingham, and not to the interests of the iron-manufacturers at large? Now those nomination boroughs served the same purpose exactly with respect to the property and interests of the aristocracy.

The *Attorney General* said, that it was easy to talk of fallacies, as the right hon. Baronet had done, and to describe as a fallacy that proposition which had been brought forward by his Majesty's Ministers. That proposition, however, though their opponents might choose to denominate it a fallacy, was adopted by the disinterested part of the people of England; and such persons only as were connected with that spurious property which it was proposed to put an end to, and who appeared determined to die in the last ditch in its defence, thought proper to charge the great majority of that House, and the people of England, with acting upon a delusion. Which set of judges could most reasonably lay claim to the merit of impartiality—the small minority, who throve by the abuse, or the universal people, who condemned it? But to that very people the appeal had been made, at the instance, too, of those who now refused to be bound by the sentence. "Wait," they had said, "till the people have had time to speak; let their voice be heard before the measure passes." They had spoken, with a loud and unanimous voice; but it seemed they were labouring under a delusion. His Majesty's Government was accused of fomenting a dissatisfaction, which had blinded all eyes, and perverted all understandings. The right hon. Baronet, in adopting the reason for the dissatisfaction which he acknowledged to exist throughout the country, with regard to the nomination boroughs, had clearly confounded cause and effect. For that general irritation and discontent, produced by the existence of those boroughs, it was the duty of his Majesty's Government to provide a remedy. He must say, with reference to boroughs (like that now under examination), when the right of voting depended on burgage tenures, that practically they contributed nothing to the fair Representation of the people. If the Crown granted that right, to enable its own favorites to return Members to the Commons House of Parliament, that grant was, in its origin, an abuse of the prerogative. The right of election was, however, vested, not in individuals, but in the burgage tenants: the form of a popular election was gone through; the voters were probably as independent in their circumstances as the 10*l*. householders, to whom the present Bill, in strict conformity with the principles of the Constitution, intrusts

the main burthen of sending Representatives to Parliament. To monopolize in a single hand the rights of all these tenants, was an abuse of wealth in him who made the purchase. All ideas of ancient aristocracy were dispelled; all influence arising from public service, or from royal favour, from station and nobility, was absorbed in the aristocracy of the pocket, and the amount of capital which any man, of whatever quality or character, was able to bring into the borough-market. The self-constituted patron might, indeed, exert his parliamentary power solely for the benefit of his country; but had experience proved, that there was no danger of his bartering it for personal advantages to himself? We heard much of the passions of the people, which were never strongly and permanently excited without a just cause; but were patrons wholly without passion, and had sordid and selfish objects never entered into their calculation? The name of boroughmonger had been complained of, and the high honour of some patrons, loudly, perhaps justly, vaunted. But how long could any one guarantee that, under the present system, the purest of patrons should not degenerate into the meanest of boroughmongers? He who never bartered the vote of a dependant Member for honours or emoluments to himself, might be driven, by the thousand circumstances which daily led to a transfer of property, to bring his burgage tenements to the hammer; he died, and his possessions went to the highest bidder. "*Nunc pretio—nunc sorte supremâ.*" Everything, then, tended to the perversion of that influence which was defended as the boon of the Crown to the high aristocracy of the realm; and unless it were lawful to traffic in the votes and consciences of men, this peculiar species of franchise must be abolished. With regard to the Bill which was now under the consideration of the House, it was not to be supposed, that a perfect measure could be devised by the wit of man; but the honest statesmen who had been brought together to form a Cabinet to effect a Reform, acting sincerely for practical good, upon principles which they had always professed, had been able to bring forward a measure which, however assailed by criticism in that House, or exposed to ridicule, had been found to satisfy the country at large. The country adopted the whole Bill, from conviction that no less a measure would secure a good Representation; and

wished for nothing but the Bill, from conviction that no larger changes were required to effect so indispensable an object. This might be called a cuckoo cry, by the dealers in eternal repetitions, whose tardy professions were deserving of no better name. The Reformers who began to learn the lesson of Reform in March, who found that they did not quarrel with all Reform, but thought this measure too sweeping, who no longer declaimed against Reform in the abstract, but felt an irresistible repugnance to the only Reform that had been proposed, without hinting at any other project, ought not to speak too contemptuously of cuckoo cries. The often repeated challenge, "shew us the particular period when the Representation was purer," he was not bound to take up: if abuses had at all times prevailed, the reason for removing them was so much the stronger: the people's loud complaint of an existing grievance was not answered by telling them, that the like corruption had obtained in former times: they had a right to the sound principle, instead of the long-endured abuse; and were justly attached to the measure, which placed their constitutional freedom on foundations which had been recognized and proclaimed, though not uniformly acted upon, from the earliest periods of their history.

Sir R. Peel observed, that the observation of the hon. and learned Gentleman as to those who were Reformers since March last, could not possibly apply to him (Sir R. Peel), for he had never during his life been a Reformer, and certainly not a Reformer since March last. He had quitted office on the Question of Reform, he was opposed to the present measure, and he should continue to give it his opposition.

The Attorney-General said, that he had not applied the observations referred to, to the right hon. Baronet. It was satisfactory, at all events, that the present Ministry could not be charged with having promised more while in Opposition than they had performed when in office.

Mr. Baring said, that he was not liable to the charge of having been a Reformer only since the month of March last, for he had been a Reformer all his life. It was his veneration, however, for the Constitution which induced him to oppose his feeble resistance to this measure. The argument of the Attorney-General he understood perfectly well. He understood that this was to be no restoration of the

Constitution settled by the Revolution of 1688, but we were to have a Revolution of 1831. People were taught to think that the former Constitution was not suited to the present time, and they wished to try a ticket in the lottery of Constitutions, and see if they could draw a prize. They were perfectly consistent. But on what plea had this measure been recommended from the Throne? Not that there was to be a new Constitution, but the King, it was distinctly stated, called the Parliament together for the purpose of considering the expediency of a Reform in the Representation; and he added, "you will carefully adhere to the acknowledged principles of the Constitution." But the Attorney General had not pretended, that the principle of Representation by numbers and no property, was that recommended by the Crown, as conformable to the principles of the Constitution. A Representation by numbers would never consist with the constitutional influence of the Crown. He defied any person to show an instance of Monarchy co-existing with such a system of Representation. What was the French House of Commons, which was even now tending to extinguish their House of Peers, compared with our new Representation? In short, we were launching upon a wide sea of experiment. The hon. Gentlemen opposite might be the best Constitution-makers the world had ever produced; but they had produced one which it was impossible for any thinking man to say, would work well. If any additional security for the people could be provided, if any additional guarantee of our institutions could be invented, he was no enemy to Reform; but he was averse to such a violent change as this Bill introduced. The Constitution of this country consisted of the King, the House of Peers, and the House of Commons; and the House of Commons was returned, half by the people, and half by the aristocracy; and was it not a total change in the Constitution that the whole should be returned by the people? Hitherto the people had been like a man fighting with one hand tied behind him; they said "loose the other hand;" but it had been hitherto answered, "No, you are a violent and desperate fellow, and we must keep you as you are." An increase of power in the hands of the people would be destructive, not of the aristocracy alone, but

of the very people themselves. The people had no right to that degree of power, for an instrument was not to be put into their hands, with which, if they thought proper, they could tear the whole fabric to pieces;—it ought to be kept out of their reach—just as, out of kindness to a child, prudent parents kept out of his reach instruments with which he might injure himself. If any Gentleman doubted what would be the effect of more power lodged in the hands of the people, let him look round, *si monumentum quaris circumspice*. Had the power of the people in that House been so reduced that it was necessary to reconstruct it, in order to give them more? The noble Lord (Lord Althorp), had detailed to the House the votes which had been given against the people. But it was the merit of the House of Commons, as it was now constituted, that it mitigated the democratic power in the country. He hoped that, when we had the new Constitution, the noble Lord would find he could do his duty to the Crown and to the Constitution without bringing about him a great mass of the Representation, who would not be looking to what, in their honest opinion, was for the interest of the country, but voting, as a great many did, with the consciousness, that if they did not vote in a particular manner, before the sun rose there would be some Committee appointed to inquire into their conduct. If we were to have a Constitution in which the action of the people was so immediate and so intense, it was contrary to all experience to suppose, that the country would not fall into agitation. The present influence of the aristocracy in the House of Commons, was a conservative principle, inasmuch as it tended to support, not the interests of a single peer, but of the aristocracy generally, against the democracy. With regard to the open buying and selling which had been talked of, where was the great practical harm of that? Some great merchant might be willing to pay 4,000*l.* or 5,000*l.* for a seat, or some East-Indian, having lived long abroad, and possessing very valuable information, by this means found his way into the House, where his information was useful. But it was absurd to say, that they were not as capable of doing their duty, and as likely to have the interests of their country at heart, as those who went about among 10*l.* householders exagger-

ating all the defects of the Constitution, promising things which could not be performed, erecting themselves into censors of men and institutions, and thus finding their way, by hypocrisy and deceit, and by encouraging false hopes and fatal delusions, into a seat in Parliament. There could not be a better proof of the practical effect of the new system than the exhibition which had just taken place in the city of London. It was an error to suppose, that corruption was to be found in limited constituencies only. Look at Liverpool, where there was a large constituency, and where there had been the grossest corruption. Was corruption worse where a seat was at once purchased, than where thousands of men who, after selling their consciences, marched shamelessly to the hustings to give their votes? In a great many of the places to be thrown open by this Bill, there would be the greatest mass of electioneering corruption. He had no intention of going into the general question; all he would say was, in the words of Mr. Canning, "while such a spirit of innovation and wild desire of change was abroad, cling to your institutions; you know what they are, but you do not know what may be substituted for them." The present Ministers likewise told the House, that there was a spirit of restlessness abroad, and to guide it they recommended that all checks and wholesome restraint should be removed. The community was already heeling over, crazy, if he might so express it, with a desire of change, and the Ministers recommended, that they should throw all the ballast, for such was the Constitution, overboard. That was the difference between the advice of Mr. Canning and of the present Ministers. He (Mr. Baring) was ready to support moderate changes; he was a bit-by-bit reformer—he was sorry to confess it—he was for caution. One of the most remarkable circumstances of this case was, that what in other cases were considered virtues, temperance, prudence, and caution—were regarded in this case as marks of a weak mind. The bit-by-bit Reform of the criminal law by the right hon. Baronet, showed advantageously beside the vast promises of improvement made by others, which had come to nothing. He would give Representatives to large towns, which might be done without the danger of shaking the fabric of the Constitution. When hon. Gentlemen

talked about the opinion of the country on this question, there was not one who travelled in it who could not be sensible that the great leading circumstance which had determined the mass of the people was, that the proposition came from the Crown. "I do not like it," said one, "but I am quite sure, that the King would not recommend what would endanger the Crown and the Constitution." Should the Crown unfortunately listen to the advice of the democracy, it was quite clear to his mind, that if the declaration which had taken away the breath of his hon. friend (Mr. John Smith), had been made in favour of Annual Parliaments and Universal Suffrage, the people would have welcomed it in the same way, and whatever effects it might have produced on his hon. friend, it would have excited the enthusiasm of the multitude.

Mr. R. Grant would not have obtruded himself on the attention of the Committee, but for the allusion, amounting to a sort of challenge, given to him by the hon. Member who spoke last, and who had referred to what was reported to have fallen from him (Mr. R. Grant) when he addressed his constituents at the last election. Whatever might have been his assertions or arguments, it was quite certain that nobody had ventured to come forward to contradict the first, or to answer the last. If the people had been deceived, as was contended, it was indisputable that, from one end of the kingdom to the other, nobody had attempted to undeceive them. He did not deny the popular excitement—it was a just and generous excitement, and whatever expression had escaped from him as to the number of Members in the return of whom Peers exercised influence, he had not expected that it would long afterwards have been so nicely weighed in the critical balance of the hon. Member. He had not said, that half the House of Commons was returned by Peers, but he had asserted that their influence, whatever it might be, had been boldly defended, although no Session began without a formal resolution, most solemnly protesting against it. He had added, what also he was not afraid to repeat upon the present occasion, that he wished the Representatives of the people of England to be a House of Commons, and not an out-house of the Peers. Those who argued in favour of the present state of the Representation, proceeded upon

a theory contradicted by every writer upon the Constitution, and he was willing to leave them to their theories, recollecting the annually reiterated vote and declaration of the House in favour of free election.

Mr. *Maberly* ridiculed the grave manner and serious countenance with which the hon. member for Thetford (Mr. Baring) had this night, for the third time, delivered a speech on the general principle of the Bill. He, for one, would not follow him, and he should blame those who did; for if that system were persevered in, the Debates could not end in the year 1831. Confining himself to the case of Bletchingley, which only was before the House, he might observe, that it was one good reason for disfranchising it, that the great majority of inhabitants of the county of Surrey, thought that it ought no longer to possess the privilege of sending Members to Parliament. The people of the whole country, and especially the County of Surrey, had a right to call on the Ministers to disfranchise those boroughs. Why should the influence of five Noblemen and Gentlemen return eight Members to Parliament, to divide the property and interests of the whole Representative body of Surrey, who amounted to several hundred thousands, and only returned six Members? It was notorious, that seats were publicly sold. Gatton had been absolutely in the hands of a broker, and a seat had been sold for 1,200*l.*, on the sole condition that the Member should vote for the late Administration. He had confined himself to local reasoning, as he and his hon. friend, the member for Surry, had presented many petitions from that county, and were, therefore, capable of judging of the sentiments of the people of Surry. It was said, that these boroughs were necessary for the Representation of the landed interest; but the people of the agricultural districts were of opinion that they would be better represented without them.

Mr. *Denison* begged leave to corroborate all that his hon. friend had just stated. He had presented petitions from all the great towns in Surrey, and could take it upon him to state, that the feeling of the people of wealth and intelligence of the county of Surrey was unanimous in favour of the principle and details of the Bill. They considered that, so far from its tendency being destructive of the existing orders and institutions of the country, it

would be their best preservative. The people felt, that by the present system they had but two Members for the county, two for Southwark, and two for Guildford, while eight Members were returned by borough-owners; that, in point of fact, they were not taxed by their own Representatives, but by the Representatives of a few opulent individuals. All that the people wanted was, that that House should be really the House of Commons, and not a deputy chamber of Peers. He believed the great mass of the people had no wish that the aristocracy should not retain their honours, wealth, and dignity, but they were jealous of the right Peers claimed to return Members to that House. To get rid of this evil was what they anxiously sought for.

An *Hon. Member* said, there could be no doubt that in early times small places sent Members to Parliament, but the fact was easily explained. Old Sarum, and Bletchingley had sent Members since the time of the First Edward. They were places of ancient demesne, and belonged to the King, and subsequently, when these lands passed into the hands of subjects, they contributed to the public exigencies more largely than other parts of the kingdom: this was proved by many ancient documents which showed, that these places contributed one-tenth, while other cities and boroughs only contributed one-fifteenth. The Tudors and Stuarts abused their prerogative by increasing the number of Members. Up to that time, there were but six boroughs in Cornwall, but they had increased the number to twenty-one. At the present day, no one could pretend that such an exercise of the prerogative ought to be longer tolerated.

Mr. *York* begged to assure the hon. member for Abingdon, that the influence exercised in the borough of Reigate by its noble proprietor, had never been exchanged for money.

Sir *C. Wetherell* said, he should not divide the Committee on the present clause, having effected his object of opening the question of burgage tenures. He had no personal interest whatever in the matter; but it might be hereafter necessary to take a vote on the burgage tenure boroughs—it was immaterial on which of that class it was taken.

The question was then put "That Bletchingley stand part of schedule A," and carried in the affirmative.

Lord John Russell then moved, that "Boroughbridge stand part of schedule A."

Sir *C. Wetherell* did not rise to detain the Committee with a lengthened defence of the borough which he had the honour of representing, as he had already anticipated all he could say by way of defence, when defending the cause of Bletchingley. He had undertaken that defence, as he had stated, because he was fearful that, if even left to its own proper Representatives, poor Bletchingley would be without even a half-mourner at its funeral. As he had, however, on that occasion taken it upon him to personate the noble Foreign Secretary, he hoped, that as that noble Lord was a stout champion of free trade and reciprocity principles, and acting upon the good old adage of "one good turn deserves another," the noble Lord would do as much for him now, and defend Boroughbridge. Earl Grey and the Attorney General had admitted, that burgage tenures were as old as the Constitution; and the preamble of the Bill stated, and its framers asserted, that its object was not to destroy, but to "restore" the Constitution, therefore to restore the Constitution was to preserve the burgage tenures; and therefore Boroughbridge should not be disfranchised, as its franchise was burgage tenure.

Viscount *Palmerston* regretted, that he could not reciprocate the kind office for Boroughbridge which the hon. and learned Gentleman had performed for Bletchingley; and that all he could do would be, to assist in consigning them to the one tomb with equal funeral honours. The hon. and learned Gentleman's burgage tenure argument was a fallacy, so far as the preamble of the Bill was concerned, because that preamble had not a syllable touching "restore the Constitution," and merely stated that "it was expedient to correct certain abuses which had crept, in the course of time," into our Representative system.

Mr. *Attwood* would, on the present occasion, content himself with denying the right to disfranchise Boroughbridge, leaving to Ministers all the responsibility of the consequences of their audacious and most unconstitutional measure. The hon. and learned member for Boroughbridge had distinctly proved, that the burgage tenure boroughs were now pretty much in their original state, and that since the origin of Representation in this country, no greater

degree of popular influence had been exercised in returning Members for these boroughs than at present. The electors were tainted with no crime, convicted of no corruption, and charged with no abuse and their privileges, coeval with the existence of the Constitution, and closely connected with the privileges of the Peerage, and the prerogative of the Monarch, ought not to be taken away.

The question was carried, that "Boroughbridge stand part of schedule A."

The next question was "that the borough of Bossiney stand part of schedule A."

Mr. *Stuart Wortley* said, that as he could not question the general accuracy of the amount of population under which Bossiney was proposed to be disfranchised, he would not divide the Committee on the present question. All he would say was, that his family never exercised any influence, other than the legitimate influence of property, in that borough, that it was not a nomination borough, and never had been an object of traffic.

The question was carried, that "Bossiney stand part of schedule A." The next question was, that "the borough of Brackley stand part of schedule A."

Mr. *James Bradshaw* said, as it was true that, according to the population returns of 1821 (but not those of 1831, which made the population 2,100), Brackley fell under the line of disfranchisement laid down by the noble Lord, he only begged Members to consider, that if the borough had contained its present population in 1821, and had diminished instead of increased 256 in the interval, it would have been entitled to return one Member. He would imitate the conduct of the hon. member for Bossiney, and not divide the Committee. He could assure the Committee, that his family never exercised any influence in that borough but that which property bestowed upon them. He was returned by the influence of property situated within the borough. There was no charge of bribery against it, nor did he believe there had been any these last thirty or forty years at least.

The question carried, "that Brackley stand part of schedule A."

Mr. *Bernal* next put the question—"that the borough of Bramber stand part of schedule A."

Sir *C. Wetherell* hoped that the noble Lord would stop at that stage for the pre-

sent, and allow them, on the Opposition side of the House, a little time to bury the numerous slain of the evening. There they had the defunct bodies of six or seven boroughs before them—a radical feast with a vengeance, the sport of one short evening and it was not too much to ask for a little delay, to enable all parties to digest their corporation repast.

Lord *Althorp* hoped, that the hon. and learned Member would make no objection to going on a short time longer.

Sir *Charles Wetherell* could answer for the hon. member for Bletchingley, but he was doubtful if every hon. Member would be so ready to attend the funeral of his own borough.

Sir *R. Peel* said, that it would be advisable to fix a limit to the debate, since a long discussion would take place on the transfer of the borough of Downton from schedule B to schedule A.

Lord *Althorp* did not propose to go further than Downton that night.

The question was carried, “that the borough of Bramber should stand part of schedule A.”

The next question was “that the borough of Callington stand part of schedule A.”

Mr. *Baring* would not detain the Committee with many observations, as the population of the borough was clearly under the line taken by the noble Lord according to the census of 1821. He would take that opportunity of again protesting, that he had never given a farthing in money to any voter of that borough, nor got for any of them places either in the Excise or in the Customs, or in any other department of Government. It was, therefore, impossible for any man to impute to this borough any impurities of a personal nature. He should take leave of it, without shame because it was disfranchised for no abuse which it had committed of the trust it had long held.

Mr. *Croker* presumed, that if he wished to make any additions to this schedule, he need not move the insertion of the borough according to its place in the alphabetical list. If so, he would postpone proposing the addition of any boroughs to this schedule, until the noble Lord had reached the termination of his schedule.

Lord *John Russell* said, the right hon. Gentleman would be at liberty to make his motion when he pleased, provided it was before the schedule was finally disposed of.

The question was carried “that the borough of Callington stand part of the schedule.”

On the question “that the borough of Camelford stand part of schedule A,”

Mr. *Milbank* stated, that when he last went to Camelford, to visit his constituents his constituents told him and his hon. colleague, that they had determined unanimously to give up their exclusive privilege, because they felt that such a sacrifice was demanded from them by their country.

Sir *R. Peel* thought that he was now entitled to take credit for the fact, that these boroughs were not always influenced by corrupt motives.

The *Attorney General* thought, that upon the same evidence he too was entitled to take credit for the fact, that the reaction which the right hon. Baronet had asserted to have commenced, had no existence in this borough.

Sir *R. Peel*:—Perhaps the hon. Member’s visit took place very soon after the dissolution.

Sir *C. Wetherell*:—So, then, this borough of Camelford is a *felo de se*. It must be buried, therefore, in the cross roads, and the hon. Members for Camelford must have the honour of driving the stake through at its heart at the performance of its disgraceful obsequies. I must call out “fie, fie! upon suicidal Camelford.”

Lord *John Russell*:—The epitaph ought rather to say “Died for the Good of the Country.”

Mr. *Milbank* was not at all surprised at the observations of the hon. and learned member for Boroughbridge. He had got the key to them the last time, that he passed through that place; for the people there had told him that they were afraid, if this Bill passed, it would be the death of the poor old gentleman who represented them.

The question was carried, “that the borough of Camelford stand part of schedule A.”

No observations were made, on the question being put and carried “that the borough of Castle Rising stand part of the same schedule.”

The Chairman then put the same question on the borough of Corfe Castle.

Mr. *W. Bankes* observed, whatever might be said hereafter of the fate of Corfe Castle, it should not, at least, have those disgraceful obsequies performed upon it, which his hon. and learned friend had just bestowed

on the borough of Camelford. The justification for the extinction of Corfe Castle could not be, that it was either a decayed or a decaying borough; for, in the last ten years, there had been an increase of 200 in its population, making its present population no less than 1,700. He would not trouble the House with any further observations, as he could not take this borough out of the operation of the principles of the Bill.

The question that Corfe Castle stand part of the clause was then carried by acclamation.

The House resumed, and the Chairman reported progress: to sit again the next day.

HACKNEY COACH ACTS.] Mr. Bernal brought up the report of the Committee on the Hackney Coach Acts.

Mr. *Hume* congratulated the House on getting rid of this monopoly, which instead of attaining the object in view, had a direct tendency to defeat it.

Lord *Althorp* said, there could be no doubt as to the propriety of bringing in a bill to regulate Hackney-Coaches and Cabriolets. With regard to Stage Coaches, they did not intend to lay restrictions upon them, to extend to the number of horses, and passengers they were to carry, so strictly as had hitherto been done.

Mr. *Sadler* thought, a further inquiry ought to be made, before passing a measure which was likely to affect so many interests, and cause great inconvenience.

Lord *Althorp* hoped to introduce such provisions as would protect Hackney-Coach proprietors, but he did not see how the measure would materially affect Stage-Coach proprietors. All considerations of that nature had better be deferred to another opportunity.

The following Resolutions were reported and agreed to:—

1. "That the duties under the care of the Commissioners for Licensing and regulating Hackney-Coaches, and now payable in respect of Hackney-Coaches, Chariots, and two-wheeled carriages, shall cease and determine; and in lieu thereof there shall be raised, levied, collected, and paid, the several Stamp duties following (that is to say):

"For and upon every License to keep, use, employ, and let to hire, any Hackney-Coach at any place within the distance of five miles from the General Post-office of

the City of London 5*l*. And for and in respect of every such License as aforesaid, weekly, and every week during the continuance thereof, the sum of 10*s*.

2. "That it is expedient to transfer the management of the said duties on Hackney Coaches to the Commissioners of Stamps."

Bill to be brought in.

HOUSE OF LORDS,

Thursday, July 21, 1831.

MINUTES.] Bills. Read a third time; Militia Ballot Suspension, Dean Forest Boundaries, and Assessed Taxes Composition.

Returns ordered. On the Motion of Lord *TEYNHAM*, the quantity of Capsicum and Capsicum Pods imported for the last Seven Years, distinguishing each year, and the amount of Duty paid thereon.

Petitions presented. By the Marquis of *THOMOND*, from the Merchants, Traders, and Inhabitants of Cork, against the removal of the Naval Station from Cove. By the Bishop of *GLOUCESTER*, from the Minister and Inhabitants of Southborough (Kent), against that part of the Beer Bill which allowed Beer to be drank on the Premises. By Lord *PLUNKETT*, and the Marquis of *DOWNSHIRE*, from the Catholic Inhabitants of Charleville, for regulating Grants for Education; and of the Inhabitants of Dromara, Dromore, and Gawaghy, for continuing the Grant to the Kildare Street Society. By the Duke of *RICHMOND*, from the Inhabitants of Llanerchymedd, praying to Return a Member, in unison with other Boroughs.

FRAUDS ON CREDITORS.] Lord Wynford moved, that the Order of the Day for the Third Reading of this Bill be discharged, and that the Third Reading be taken on Tuesday next.

Lord *Plunkett* said, that he had examined the Bill since it was last before the House, and he still considered the clause which he then objected to, to be harsh and oppressive. He thought it would be a severe enactment to bring under the operation of the Bankrupt-laws, a man who went abroad for his amusement, or in consequence of some temporary embarrassment, and who had no intention of defrauding his creditors. He imagined that, though the reference to a tribunal to decide on the fact of his absence was apparently fair, yet in reality it was no protection to him. The Bill provided that, after notice being given in the *London Gazette*, and at his last place of residence, unless he returned and compounded with his creditors within three months, his person and property became subject to the Bankrupt-laws. As to the notice in the *Gazette*, it was not likely ever to reach the debtor, for men did not go abroad to read the *London Gazette*; and as to a notice at his last place of residence, the probability in

most cases was, that the person who left the country had no house in it, and it was probable that the last thing he would do on going abroad would be, to dispose of his dwelling-place here. Notice of this nature to him was, therefore, a most doubtful proceeding, and where such a doubt existed, it was a hard enactment to sentence a man's person and property to the operation of the Bankrupt-laws, particularly when it was considered, that if he did not surrender within a certain time, he could be punished criminally, and became liable, as a felon, to transportation. It was evidently a harsh proposition, to declare a private gentleman, who never traded, to be a bankrupt if he did not compound with his creditors within three months. If their Lordships were determined to carry the spirit of the clause, he thought that, at least, it ought to be modified so far as that the proceedings in bankruptcy should be suspended during his absence. The whole principle of the law, hitherto, was against these cases of constructive bankruptcy; and the man who, as in Ireland, lent money on the estate of another, and secured the priority of his claim by a priority of judgment, would, by this Bill, have his right destroyed. The judgment creditor, if the law was in England the same as the law in Ireland, would, if this Bill passed, have no priority. He merely threw out these hints to the noble and learned Lord, and he reserved himself for a fuller investigation till the third reading of the Bill.

The Earl of *Eldon* intimated, that at present his feelings were against the principle of the Bill, though he admitted some legislation was necessary, to correct the abuses which it was intended to remedy. The Bill was of immense consequence, and should be well considered by their Lordships before it passed into a law. The Court of Chancery was in the habit of protecting young men of estate from constructive bankruptcy, though the attempt was often made, to bring them within the operation of that law, in consequence of transactions in horses or carriages. This Bill was founded on a principle directly opposed to that which had hitherto guided the Courts of Equity, and it required no slight degree of circumspection on behalf of the Legislature before it passed such a law. Before he sat down, he begged leave to give notice, that he intended to move for a copy of the record in the case of the *King v. O'Con-*

nell. He did not attach blame to any one, but he was anxious to ascertain, in a regular way, the reasons why sentence was not pronounced, and to take some steps towards remedying the state of the law, if it were from any defect in the Statute, that the proceedings were terminated so abruptly. In bringing forward this question, he disclaimed all feeling with regard to that particular case, and he inquired into it only for the purpose of ascertaining the state of the law.

Lord *Plunkett* said, that the insufficiency of the law to punish after the expiration of the Act against which the offence had been committed, and for the breach of which the party was tried, was so sensibly felt, that in many cases a clause was introduced, enabling the Courts to award punishment, notwithstanding the expiration of the Act. No such clause had been inserted in the Act for the infraction of which Mr. O'Connell was prosecuted, and the absence of it was one of the reasons which influenced the Law Officers of the Crown in giving their opinion that the sentence could not be enforced.

The Earl of *Eldon* was far from saying that any body had acted wrong; he only sought to have the question settled for the future.

Lord *Wynford* said, that if the Bill was deficient in preventing judgment—creditors from being confounded with simple contract creditors, who ought to be distinguished, it was necessary that some further provision should be introduced into it, and he would be happy to attend to any suggestion of the noble and learned Lord on that or any other point.

Third Reading postponed.

[TITHES' COMPOSITION BILL.] The Archbishop of Canterbury moved, that the Tithes' Composition Bill be committed.

Lord *Teynham* observed, that it was a subject of the greatest importance. The Tithe System was one which called for very material alteration and improvement, and the country expected, that such an improvement should be made without delay. He was not satisfied that this Bill would answer the purpose. He would not, however, oppose its going into the Committee; but unless it underwent considerable alterations, he would oppose it on the third reading.—The Bill was then committed.

On the first clause being read,

Lord *Wynford* moved as an amendment, to insert the words "lay impropriator of any parish." It appeared to him that the Bill, if it did not extend to lay impropriators of tithes, would create great confusion, and, therefore, he wished his amendment to extend to every provision of the Bill.

The Archbishop of *Canterbury* expressed his hope, that if this amendment were to be adopted, the noble and learned Lord would lend his assistance to get it adapted to the Bill, without injuring its object and progress.

Lord *Wynford* promised his assistance, either in or out of the House.

The Earl of *Eldon* did not think, that the Bill was one which could pass in its present shape. There was no provision made in it for determining, in cases of moduses, whether there was a modus or not; or whether the modus, if one had existed, was or was not a legal modus. It sometimes happened, that very delicate questions arose, as to whether certain lands were or were not titheable; and sometimes, persons who had not paid tithe for their lands, were not able to tell the reason why they had paid none; and yet they might have good right of exemption. A case had occurred in the course of his professional life, where a man pleaded an exemption, but could not tell the reason why he had not paid tithes; and after an investigation of six years, it was found that he himself was the owner of the tithes, and that the Ecclesiastical Rector had nothing to do with them. Then there was no provision made in this Bill for cases where compositions real had been entered into, in which cases, lands had been given in lieu of tithes. These were material defects in the Bill; and as to a Barrister of five years' standing deciding in the cases which he had mentioned, he would not be sufficient for the purpose, even although he were a schoolmaster besides—begging pardon of his noble and learned friend, the Lord Chancellor. The person to whom he had alluded, as pleading an exemption for which he could not show the grounds, had found, at last, that the ancestor under whom he claimed had purchased the lands from a grantee of Henry 8th, and that the lands had belonged to a Monastery, and were, therefore, exempt from the payment of tithes. There was no proper provision in the Bill for settling difficult questions of this kind,

and cases of composition - real, where lands had been given in lieu of tithes, were in the same predicament. He could not help thinking, that the Bill must receive much more consideration than had yet been bestowed upon it. In all its provisions it seemed to be extremely deficient, and unless it were thoroughly recast, it would be impossible for their Lordships to give it their assent.

The Archbishop of *Canterbury* said, that if the noble and learned Lord opposite had explained to him (the Archbishop) some months ago, the objections which he had that evening stated to their Lordships he should have been so governed by such an opinion, that he should have thrown the Bill into the fire. He agreed in every word which had fallen from the noble and learned Lord, as far as his (the Archbishop's) experience in those matters allowed him to form a judgment. But in this respect, he was compelled to differ from the noble and learned Lord—he could not possibly see what connexion all that the learned Lord had said had with the Bill. The only object of the Bill was, to provide a means of paying the clergy the value of the tithes to which they had a right, different from the mode in which they had hitherto been received. In devising a new mode of payment, it was necessary also to provide a new means of enforcing that payment. But it was by no means necessary that, in an Act providing for an assessment of tithes, there should be an enumeration of the various kinds of titheable produce. For his part, he (the Archbishop) could desire nothing more earnestly than that the noble and learned Lord should devise a mode for the settlement of all disputes as to tithes. If he could put an end to all differences on the subject of titheable produce, he would confer the greatest benefit upon the country. As to the duties to be performed by the Barrister, he thought a standing of five years was quite sufficient qualification for the competent discharge of them, as all that he would be called on to do was, to ratify the composition, and to see that it had been made in accordance with the Act.

The Earl of *Eldon* assured the most reverend Prelate, that he should be most anxious to assist him with the present Bill, or any other that he might originate. As it appeared to him, however, where the lands of the same party consisted of

separate assessments, some of the lands being held where there had been a composition-real, or a *modus non decimando*, he would have nothing to do under this Bill, but to come in and claim one exemption for the whole. He would give his very best attention to the subject, out of respect to the interests of all parties concerned.

The *Lord Chancellor* was sure, that nothing could be more advantageous to the Bill, or more calculated to secure its completeness, than that the assistance of the noble and learned Lord should be given to discover its faults, and to supply its deficiencies. He was sure, that if it passed with his assent, it would be free from errors, as he, surely, would allow no fault to escape. But he (the *Lord Chancellor*) did not think, that the Bill was liable to the objections alleged against it by his noble and learned friend. In the first place, the learned Lord had said, that the Bill contained no provision for cases in which there had been a composition-real. Now he (the *Lord Chancellor*) thought it would be safest on that subject to follow the precedent of the Irish Composition Act, which was, and so far it had been attended with no difficulty, to make no mention whatever of composition-real. He believed it was not mentioned in the Irish Act, and if he were mistaken, his noble friend behind him would correct him. The provisions of the Bill for the assessment were so distributive, that they might comprehend all cases that could arise. It was provided, that when a dispute might arise respecting the assessment of one particular part, then there should be, for that part, a separate assessment. In another clause, the case of composition-real was comprehended; for it contained a provision, that where any land had been before exempt from tithe, the Commissioners should have no power to make an assessment, as it was not the intention of the Act to give the tithe-owner a better title than he possessed before. The Commissioners should have no power to decide upon disputed claims, all which were, on the contrary, to be referred, after the Act, to the Courts of Law, as was the course followed at present. As to the objection to the qualification of the Barrister, looking to the very moderate jurisdiction, he thought that the experience of five years' standing was quite sufficient. He was not prepared to say, however, that there were not defects in the details of the

Bill; on the contrary, he believed, that the most reverend Prelate who introduced the Bill had some alterations to propose.

Lord Wynford thought, that the Bill was particularly deficient in its principal enactment, inasmuch as it provided no means of ascertaining who constituted the two-thirds of the tithe-payers; and yet it was indispensable to have that ascertained before the first step could be taken towards that composition which was the great object of the Bill. Reference to the poor-rates would not, as had been said, be sufficient for that purpose. He thought it would be better to take the majority, say two-thirds of the parishioners assembled in vestry, as was done under the Irish Tithe Composition Bill. He thought, at the same time, that the public were deeply indebted to the most reverend Prelate for having introduced his Bill; and he knew how much attention the most reverend Prelate had bestowed upon the principle of the measure, although his mind was so much occupied with more important matters, that he must necessarily leave the preparing of the clauses to others. He (*Lord Wynford*) submitted to the Committee, that the Bill should be referred to a Private Committee, if such a proceeding were consistent with the practice of the House. He perceived, from the nod of a noble friend opposite, that his proposition could not be acted upon. He should, therefore, take the liberty of moving, that the noble Lord on the Woolsack should leave the Chair, and report progress to the House; so that, before the next sitting of the Committee, his noble and learned friend beside him, and other noble Lords, might have time to consider the Bill. He made that motion because he was friendly to the principles of the Bill, and he was satisfied that by postponing the Committee, such alterations might be proposed as would render it effective.

Lord Carnarvon proposed, that the Bill should be printed, and re-committed on a future day.

Lord Eldon said, that if the further consideration of the Bill were postponed, he would give it his best attention.

The Archbishop of *Canterbury* expressed his pleasure at being able to avail himself of the professional advice of the noble and learned Lord.

The Earl of *Abingdon* begged to be allowed to remove any impression that the most reverend Prelate might have taken,

that his services had not been duly appreciated by the House. He could appeal with confidence to the opinion of all their Lordships, as to the beneficial tendency of the present Bill, and its general advantages to the country.

Bill to be re-committed.

HOUSE OF COMMONS,

Thursday, July 21, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. WILKS, that the Churchwardens of each Parish in England and Wales, furnish Accounts of all Monies Collected, from Easter, 1850 to Easter, 1851, for Church Rates, and all other Expenses relating to the Repair of Churches, Chapels, &c., and the amount expended for the same purposes:— On the Motion of Mr. WYSE, for the amount of Tolls received on the River Shannon for the last Ten Years:— On the Motion of Sir JOHN NEWPORT, of the number of Causes tried in the Admiralty Court (Ireland), since the 1st of August, 1850: the number of Causes set down for hearing, how they were disposed of, and the Number of Days the Court sat.

Petitions presented. By Mr. CROKER and other Hon. Members, from Electors of Minehead, praying for that Borough to be transferred from schedule A to schedule B, as comprising a portion of an adjoining Parish, containing more than 2,000 Inhabitants; from the Corporation of New Romney, with Lydd and Old Romney, to retain the privilege of returning One Member; from Inhabitant Householdors of Lydd, to be annexed to New Romney, and return One Member; from the Corporation of Tregony, praying for that Borough not to be Disfranchised. By Mr. HODGES, from the Trustees and Managers of the Seven Oaks Savings' Bank, for alteration of Act 9 George 4th. Cap. 92. By Mr. TYRRELL, from Patrick Stead, against the use of Molasses in Distillation.

IMPROPER DECISION OF A COMMITTEE.] Lord *Morpeth* having on a former day presented a petition from the subscribers of the Leeds and Manchester rail-road, complaining that the Committee on the Bill had decided against the facts submitted, having declared, that the preamble had not been proved, and having then entered into a statement of the facts and circumstances connected therewith, the further consideration was adjourned, at the suggestion of some hon. Members; the noble Lord, after reminding the House of these circumstances, resumed the subject. After recapitulating the leading particulars, with the nature of the grievances of which the petitioners had, he thought, just cause to complain, he concluded by moving to refer the petition to a Select Committee of Appeal. Before he concluded, he must observe, that some of the members of the Committee had come to a decision, without having heard the whole of the evidence in support of the allegations contained in the preamble of the Bill. He wished also to remind the House, that the last case of a petition being referred to a Committee of

Appeal was in the year 1826, and that case was by no means so strong as the present.

Mr. *Strickland* seconded the motion, and bore testimony to what the noble Lord had asserted respecting some of the members of the Committee having given their votes against the preamble, without having attended to the evidence in its support. He complained of the practice which prevailed in Committees above-stairs on private bills, and hoped that something would be done to obviate the evil. He could not but condemn such a mode of proceeding. It would be well for Committees to imitate the patient investigation which Courts of Justice exemplified before decisions were pronounced upon bills which they were called upon to investigate. In the Bill referred to by the petitioners, the property implicated was of considerable amount.

Mr. *Evelyn Denison* defended the Committee, and hoped that his noble friend would withdraw his motion.

Motion agreed to.

DELAY OF THE REFORM BILL.] Lord *Althorp*:—I rise, in pursuance of notice I gave yesterday, to bring forward a motion to enable the Committee to make more expeditious progress with the Reform Bill than it is now doing. I am aware that the Motion I am about to make is one for which there is no precedent on the Journals of the House; and it will, therefore, be necessary for me to recall to the recollection of the House those special circumstances which, in my opinion, ought to induce the House to agree to the Motion. My proposition is, that the Order of the Day for the House proceeding with the Reform Bill in the Committee shall take precedence of all public business whatever, on those days for which it is appointed. The grounds on which I make this Motion are, that the measure is one which, as all agree, whether they be in favour of, or opposed to, the Bill, is of paramount importance—of more importance, indeed, than any measure that was ever under the discussion of the House; and not only is the subject of vast importance, but the measure itself is of so complicated a nature, that it will necessarily lead to much discussion and consumption of time in the Committee, thus not only forming an exception to all rules in its importance, but also in its details. I do not propose this Motion with a view to any

unnecessary haste ; I rather propose it in order to give plenty of time ; but that the measure may not be spread over so large a space as to render it improbable that it will come to a satisfactory conclusion at last. I am aware that what I am proposing will form a novel precedent, and that it will be a precedent which may, on future occasions, lead to inconveniences ; but still, I think, that were the same circumstances again combined as are combined on the present occasion, it would be a precedent proper and unobjectionable. What are these circumstances ? It is a question which interests every part of the country, from one end of it to another ; and I should say, even were its importance only one half what it is, that while it is so deeply interesting to the whole of the population, it would be wise in the House to give up the rest of the business before it, for the purpose of attending more particularly to this ; and I also think, that the country would have a right to expect this of the present House of Commons, chosen, as that has been, to promote Reform. I think that, as the country is looking forward with breathless impatience to the carrying of this one measure, it has a right to call on its Representatives to postpone all things of minor importance, in order that we may apply our undivided attention to this single one. I have now stated the grounds on which I make this Motion. It is not necessary for me further to impress these grounds on the House ; for if there are any Gentlemen who do not think, that circumstances in any instance can justify the precedent which we are now about to set, nothing that I can say will convince them to the contrary. But every one must be aware of the truth of what I have stated. Though I shall propose, that the Committee on the Reform Bill take precedence of all public business, whether petitions, motions, or orders of the day, there are, undoubtedly, petitions which must form an exception to the rule ; those on the Bill itself, of course, must be received. I should therefore propose, Sir, having communicated with you on the subject, and having obtained (as might be expected from your readiness to forward all the objects of the House) your kind consent to take the Chair at three o'clock, as at the commencement of the Session, and also to sit on Saturdays, for the purpose of taking petitions—I should propose, that such be the arrangement ; by which means we

shall, on Saturdays, have time for petitions ; and by meeting at three o'clock, we may hope to be able to proceed to the question of Reform at four, and so have about eight hours every night for the discussion of the Bill in the Committee. In proposing this, I do not think, that I am asking too much, for I cannot see, that the House would gain any advantage from varying the subjects under discussion ; on the contrary, I think that it will be better able to give its attention to this absorbing topic, by not entering into any such variety. With this view, I beg leave to move, “that the Order of the Day for the Committee on the Reform of Parliament (England) Bill, do take precedence of public petitions, notices of motions, and other orders, on each day for which it may be appointed.”

Mr. C. W. Wynn had heard the noble Lord's Motion with deep concern. He had heard it with deep concern, because he knew of no proposition, within the last fortnight, coming from the noble Lord, which had not received the assent of the House. If the Government had power to give effect to this Motion (but, he thanked God that they had not the power), in what a situation would that House be placed. If the King's Ministers, backed by a majority in that House, were to be allowed to say, that for an indefinite time particular business, which was proceeding *de die in diem*, should always be entitled to precedence over all other public business—if no Member, without their consent, was to be allowed to bring forward a motion—he should say, that that House was abdicating its functions of being the Grand Inquest of the nation. But they were told, that Saturdays would be allowed for petitions. Petitions on the Reform Bill were, indeed, to be admitted. He begged to be allowed to ask, if there was a petition charging the Ministers, or any one of them with an offence, and if a Member of the Commons chose to lay that petition before the Representatives of the country, was the permission of the Government to be asked for that purpose ? and was it to be humbly implored to waive the privilege with which the vote of that House had invested it. He felt, that it was only necessary to suggest to the House how imprudent it would be to agree to so dangerous a precedent. He remembered when the proposition was made for orders to have the precedence of notices, and he remembered that it was resisted by him and others, on

the ground that it was an improper rule for the House of Commons to adopt, and might put a stop to the most interesting business. But what was the answer on that occasion? Why, that business of an urgent nature, whether Ministers insisted on their right of precedence or not, might be brought forward by any Member; that the right of a Member to stand up and make a motion, without giving any notice, could not be taken away, and he might bring forward any urgent business. No regulation respecting orders preceding notices could take away that right. It was now proposed by the noble Lord that the Reform business should have precedence over all other business; and that it should come forward on certain nights, and have priority, even before the presentation of petitions, which was always the first stage of all business. What would be the consequence? What would be the remedy applied? Why, every person, on the Order of the Day being moved, might move an Amendment, and might successfully resist the progress of business, and effectually stop the House from proceeding with the measure the noble Lord was so anxious to forward. He should be sorry if any person embraced such a course, but he could conceive cases in which a Member might think that warranted. There was a motion of the hon. Member opposite, on the state of the poor of Ireland, which he should say was a question more immediately urgent—he would not say of comparatively more importance—but of more immediate urgency, than the Reform Bill. The hon. Member might think it proper to bring on that motion before the Reform question was settled. If the noble Lord should persist in his Motion, he foresaw that debates would be brought on in a contentious spirit, and in a manner most inconvenient to the House; giving rise to personal acrimony and personal contests, and retarding the business of Parliament more than could possibly be done by adherence to the old rules. The course proposed by the noble Lord would be found pregnant with evils. What, then, could be done better? He was disposed to accede to an understanding or arrangement, by which, without making a positive order, the Reform business might come on first. If his noble friend would allow him to suggest, that an understanding of this kind would be better than an order, because an understanding could, at any time, in a

case of urgency, be set aside, and no precedent would be established. If they were now to establish such a precedent, it might be used hereafter, by an over-bearing majority, to prevent the business of the House coming on, and put a stop to the most important and urgent matters. It might be used, for example, to prevent the House acting on that order, which said, that a Committee of Supply should precede other business on certain nights, and thus stop the most important national business. The redress of grievances was the first duty of the House, even before granting the Supplies. If the House, however, allowed such an order to pass, it might place a power in the hands of a Ministry to procure the Supplies, and then to prorogue the House, and take away from a minority the means of even insuring a discussion, or taking into consideration any grievance whatever. He was aware, that if his noble friend pressed his Motion, resistance would be useless; still he would urge it on his noble friend—he would urge it on the members of the Government—that it would be much better to come to an understanding that such an arrangement should take effect, than to press the Motion. He would remind the House, that there was no occasion for the order, because, since the question of Reform came on this Session, not the slightest attempt had been made to forward any motion to delay the Reform Bill. It would be infinitely better, therefore, to depend on the inclination of the House, than to establish an order, of which no man living could foresee the consequences, or have any idea of the danger attending it. It might be said, that he was tenacious of precedents; but he had sat for thirty years in that House, and he had seen many individuals live to regret the precedents they had established to suit a particular occasion, and which often led to consequences of which the mover had no idea. What reasons did the noble Lord urge for this order? He stated the very great importance of the subject, and the great length to which it was likely to extend. He would say, that all the Members seemed of the same opinion, for no person had, at any time, made any motion with the intention of creating delay. But if the subject were of such importance, it was necessary to allow time to discuss it in all its details. The details were so various—they embraced so many things—that even the

framers of the Bill must allow, that it would take, at the least, four or five weeks to examine them thoroughly. He would urge on his noble friend, to adopt his suggestion, and be content with an understanding in the House, and trust to the general temper and disposition of the House for that support it seemed inclined to give him.

Lord *Althorp* was aware, that the regulation he had proposed might produce great inconvenience; but, under the particular circumstances of the case, he thought that course necessary. His only object was, to ensure the House going into a Committee on the Reform Bill, at an early hour. If, however, he thought that this object could be obtained by the suggestion of his right hon. friend, and if he found the House ready to come to such an understanding, he for one should be disposed to agree to that suggestion. He was aware that what his right hon. friend had stated was correct—that no Gentleman had interfered by notices of motions to stop the Reform Bill; but there had been other discussions, which prevented it being brought on till six or seven o'clock. If he found the House ready to come to an understanding, that the discussion on the Reform Question should always come on at a certain hour, he should be ready to withdraw his Motion. At the same time he felt, that he was bound to propose it, because it was urgent that some step should be taken.

Mr. *Goulburn* objected to the Motion, that it would either place the House, bound hand and foot, in the power of the Ministers, or it would beget most unseemly conflicts every day on the motion for going into a Committee. It would not take from the Members their power to move an adjournment, or to bring forward, if they saw fit, any matter of importance, as an amendment to the Order of the Day, as was frequently done last Session by the right hon. Baronet, the present First Lord of the Admiralty, and thus provoke a debate on any question, that from its merits ought to have a separate and distinct consideration. He hoped, that the understanding would be preferred to the order; and, in that case, he for one should offer no obstacle to the arrangement. As a proof, that the Opposition were not disposed to throw obstacles in the way of the Ministry, he would remind the Gentlemen opposite, that when it was proposed that the Reform Bill should come

on at three o'clock, they objected to that as interfering with public business; and he and the Gentlemen on his side acquiesced in the Ministers' views, because he believed, that the time till four o'clock was required for public business. He would also remind hon. Members, that he had never brought forward any motion to interfere with the Reform Bill; although there were some matters of great importance, to which he was most anxious to call the attention of the House.

Lord *Milton* admitted, that the order might be pregnant with inconvenience, and if its object could be otherwise obtained, his noble friend would do well to adopt the suggestion which had been thrown out. At the same time, it was necessary that something should be done to give satisfaction to the country, and get through the business, which might be accomplished by an understanding that the Reform measure should, on the days appointed for discussing it, take precedence of all other questions.

Mr. *Hunt* had a motion standing for the 28th, on the subject of the Corn-laws, which he thought of quite as much consequence as the Reform Bill [*a laugh*]. If the hon. Member who laughed was living on half a bellyful, he would laugh on the other side of his mouth. He thought his motion of great consequence. He did not wish to throw any impediments in the way of the Reform Bill, but he wished, if he were not to bring forward his motion, that he should be bound by an order of the House, rather than trust to its discretion. He recommended the Gentlemen on his side, as they had no chance of success, to give up their opposition to the Bill, and allow the Ministers to pass the Bill on their responsibility. The public began to look with a little suspicion on the matter. They thought there was some tampering with the subject, some getting up of sham debates, or fighting in muffled gloves; and he would recommend that this sort of opposition be withdrawn. He would rather the House should meet at three o'clock; and, after sitting eight or nine hours, they would then have a chance of getting home and to bed about the hour that the thieves came abroad.

Sir *Robert Peel* was satisfied, if the noble Lord would only trust to his own plain and unbiassed judgment, that he would find more facilities for carrying forward the measure, than by attending to the

recommendations of the newspapers, and considering their suggestions. Let the noble Lord act on his own judgment, and disregard their advice—treating with indifference and contempt, as he (Sir Robert Peel) did, the shameful menaces by which it was attempted to deter Members of that House from performing their duty. The noble Lord had trusted the House, and what had been the consequence? A disposition had been excited, to throw no obstacles in his way, which had gone so far, that even petitions had not been presented, notices of motion had been waived, and no desire shown to delay the proceedings of the House. If they were told, however, that they were to surrender their judgment, and not examine into the details of a measure that was to give a new Constitution to the country, to that he could not agree, and of such a proceeding he entirely disapproved. That was not treating the important subject as it deserved; but any party who should propose measures for the purposes of delay would find them recoil on the proposers. At the same time, the subject should be fully and fairly considered. There were already several notices given of motions for Amendments of parts of the Bill; there were at least sixteen such notices; two had been given by the noble Lord (Milton); of these sixteen notices, no less than ten had been given by Gentlemen who voted for the second reading of the Bill, but who thought it right, that the subject should be brought under the consideration of the House in the same aspect as it appeared to them; if, out of those sixteen, ten were given by Gentlemen who were friendly to the principle of the Bill, was it fair—was it just, to impute to those who were not friendly to the Bill, who brought forward Amendments, a motive to delay it? It was said, that the Bill would be defeated by delay. What was the meaning of that? Had the Ministers not a majority to support the Bill? If it was meant, that by discussion the appetite for Reform would be abated, that would be due to the fair influence of reason, and nothing else. If the public should become as weary of the discussion as the House was—if they should look for some other topic of interest, some other cause of excitement, if that were to be the consequence of delay, it showed there was ground to doubt if the clamour for Reform was produced by

the evils of the system, and shewed that those who dreaded delay had a conviction that it was a mere temporary excitement, which would die away before the voice of reason. He would do his best, however, to facilitate the object of the noble Lord, if the noble Lord was disposed not to press his Motion, to dispense with the order, and trust to an amicable understanding. Such an understanding had taken place last Session, and under it they had begun private business at three o'clock, and the public business at five; that had continued through the Session, without any inconvenience, and, therefore, he thought an amicable understanding would be better than an order of the House, establishing a most dangerous precedent, such as that proposed by the noble Lord. Besides, an order could not be efficacious, as the Members might insist on their right to bring forward any subject, or to present petitions, when the motion was made for going into the question of Reform. He was sure, that if the order were withdrawn, and an understanding agreed to, that would be adhered to. On all these grounds he must press the noble Lord to withdraw his Motion, and be content with an understanding that the business of Reform should have precedence of all other business.

Lord *Althorp* said, that after the speeches of the two right hon. Gentlemen, he should be ready to withdraw his Motion, on the House coming to an understanding that the Reform Bill should go into a Committee every night on which it was to be discussed, at four o'clock [*cries of "no, no!" and "five o'clock!"*] He would agree, then, to five o'clock.

It being, therefore, an understanding that the Reform Bill should come on every evening at five o'clock, when it stood for discussions, the subject dropped.

MAGISTERIAL OPPRESSION — THE CASE OF THE DEACLES.] Colonel *Evans* rose, he said, for the purpose of bringing forward the Motion of which he had given notice, and he meant to do so with the greatest brevity. He had taken up the matter from a sense of duty, and not from a desire to attack any individual. It was not, indeed, a case that concerned individuals, but the exercise of magisterial authority. He knew nothing of the subject but what he had learnt from the pub-

lic papers; and all he wished the House to grant was information. He wished to have the information that was laid before the Magistrates of Winchester, which led to the taking up Mr. and Mrs. Deacle six miles from Winchester. He wished for the depositions on which the warrants had been made out, and which four or five Magistrates attended to carry into execution. The only documents from which he derived his information were an authorised statement in the public papers of the trial, and an *ex parte* defence which had been published by Mr. Bingham Baring. He was not disposed to enter into discussion, but merely to ask for information. He would show what was the character of the person arrested, by quoting the evidence of Mr. Rogers. Mr. Rogers was a clergyman, and he stated, "that he had known the plaintiff several years, and had seen the testimonials he had received at college; his father was a most respectable man." He would also quote a short passage from the summing-up of the Judge. "His Lordship could not help remarking, that the handcuffing was, to say the least of it, a very harsh proceeding towards a lady and gentleman who had been perfectly civil and quiet, and had offered no resistance, and whose station in life was that of a gentleman—the son of a clergyman of the Church of England." He had read these things with sorrow, and he was obliged to say, that his sorrow was not much assuaged by the defence which had been published. Mr. Bingham Baring had admitted, "that no attempt at escape was at any time made by Mr. Deacle; and though the state of the country rendered caution necessary, his conduct throughout was orderly and submissive." Yet this gentleman (who was quiet and orderly and submissive) and his wife, were taken away from their home, with unwonted violence. No attempt was made to substantiate the charge against them, and when Mr. Deacle appealed to a Court of Law, a verdict was given in his favour. Mr. Bingham Baring said, in the defence which he had published, "I come now to the material parts of the charges against me, which are substantially three. First, that I ordered the constable to hand-bolt the prisoners; second, that I dragged Mrs. Deacle personally by the body, her head hanging on one side of me and her feet on the other, through the mud to the cart; and third, that I struck

Mr. Deacle while in the cart, on the road to Winchester." Excepting the blow, Mr. Bingham Baring denied the charge, and proposed to prove his statement, but he had not given any reason to satisfy the public, that he should be able to disprove the other parts of the statement, any more than he was able to deny having given the blow. The trial of this case had created a strong ferment in that part of the county where it had occurred, and the House should, he thought, inquire into this abuse of magisterial authority. In London, also, this trial had excited a considerable feeling. Two trials had, in fact, taken place, and no evidence had been adduced on the first against the Deacles. If the papers for which he moved should remove the impression he at present entertained, he should be very glad; if they did not, he should think it necessary to follow up his Motion by moving an humble Address to his Majesty, to remove Mr. Bingham Baring from the Commission of the peace. The hon. Member concluded by moving an Address to his Majesty, for a Copy of the Indictment in the prosecution against Mr. and Mrs. Deacle; also, Copy of the Record in the cause Deacle *versus* Bingham Baring, with the result thereof, respectively, as the same were tried at Winchester; also for Copies of the Judges' Notes taken upon these trials.

Mr. *Francis Baring* rose to second the Motion, which, he thought, no person in the House could so properly do as he could. He was jealous of his character of a gentleman, which he felt was at stake, and he was gratified at the opportunity of making a statement in the House, which, but for the motion of the gallant Officer, would have been made elsewhere. The hon. Member had referred to the indignation excited by the statements in the public papers, and certainly these statements were calculated to excite indignation, and the indignation would be perfectly justified if the facts were as stated in the public papers. In making the House acquainted with the real facts of the case, he would beg leave to recall the attention of the House to the state of the county in which the transaction occurred. In the month of November, there was a great disturbance in Hampshire. He himself was called from another, and a peaceable part of the country, to a scene of riot and disorder. The arrest of Mr. and Mrs. Deacle took place on No-

vember 24th. At that time the whole country was full of mobs, and different classes of people were going about in great numbers, within a few miles of Winchester. The hon. Member read a list of several mobs of 700, of 1,000, of 100, of 400, of 600 people, which were going about on the days immediately preceding the day on which Mr. Deacle was arrested. That would show the House the state of the county of Hampshire at that time. A general panic prevailed, and it was publicly and repeatedly stated, that it was necessary to act with energy; that it was necessary that the police of the county should be diligent, and exceedingly watchful. A terror had spread throughout the county, excited by these mobs, and it was necessary, in order to preserve the peace of the county, that the greatest activity and energy should be exhibited on the part of the Magistrates. And here he must be allowed to remind the House of what had been said at the time the riots commenced. "Where," it was asked, "were the Magistrates? Why do they not appear, and each take his share in restoring order?" And, said the Newspapers at that time, "If the Magistracy acted with firmness and energy, all the disturbances would be quieted." At that time, depositions were made before the Magistrate, against the Deacles, and as he had a copy of them, he would trouble the House with a portion of them. The hon. Member accordingly read the deposition of the bailiff of the Earl of Northesk, who stated, that on the 23rd of November, a mob of persons came to that nobleman's house, within a few miles of Winchester, and demanded whether there were any threshing machines about the premises. He replied, there was a small winnowing machine, which was locked up in a barn. They then produced a paper for him to sign, agreeing to give the labourers 2s. a day. They then asked money of him, and, after several evasions, he gave them 5l. They then cried out, "Hurrah, now for the machine," and were about to break open the barn, where the winnowing machine was, had he not opened it. They then broke the machine into pieces. He saw at this time in the mob, a female on horseback, who he was told was Mrs. Deacle, of Ouselbury, who was said to have great influence with the mob. The female looked on while the mob was breaking the machine; she came with the

mob, and went away with the mob. The hon. Member then proceeded to quote the deposition of Mr. Francis Wright, Clerk, one of the defendants. He said, this gentleman deposed to having seen a mob on the 23rd, with a lady on horseback, in the midst of them. This party extorted money to the amount, as one of the men informed him, of 10l., and the lady was riding in front of them. A person told him (Mr. Wright), that this lady was Mrs. Deacle. One of the party asked him for 20s. The lady rode up to him, and asked him if there were any soldiers in the neighbourhood. There were two parties, and Mrs. Deacle rode from one to another. He had this conversation with her, but no more. The hon. Member then said, he had another paper, which was not the original deposition, but a copy, which he believed was correct, and would read to the House. The hon. Member then read the deposition of Stephen Child, as follows:—"That a large mob of persons had collected together on the 24th of November, and went about destroying machinery, and collecting money by using threats. Deacle was with this mob, and encouraged them by calling out 'Boys, cut in!' and seemed wholly to approve of what was going on. That on one occasion the mob went up to a house, where money was demanded. Deacle was with them, but kept in the rear, at the end of a lane; that a boy in the service of Deacle had a horn, or trumpet, which his master told him to blow; that this mob went to the house of Miss Long, and having insisted on her signing a paper for the reduction of tithes and rents, demanded 15l. of Miss Long, and eventually went away; that Deacle was with this mob also, but kept in the rear while they obtained the money—that from thence they proceeded to several other places; that Deacle stopped at a public-house with some of the party, but that Mrs. Deacle remained with the main body during the whole of the day, and assisted in the distribution of the money amongst them in the evening." He ought to observe, that there was a great difficulty in obtaining information—one man trembled exceedingly while he gave his deposition, and expressed his fears that his house would be pulled about his ears on his return home. Another deposition stated—"That a mob went to the house of a farmer, and that they were

accompanied by a man, whom deponent understood to be Mr. Deacle; that Deacle said to the farmer, 'We want your men.' The farmer replied—'You are a man of understanding, and I hope you will not take my men;' that another person then called out, 'You must sign the paper, and give us a sovereign;' that the man thus addressed said, 'I will sign the paper—but I have no sovereign to give.' That another person then called out, 'You must send your men, then, and give a half-sovereign, or, if you do not, you must give a sovereign; or, if you do not, it will be worse for you;' that Mr. Deacle was present, and that deponent also saw a woman on horseback along with this mob." Having thus stated the subject of the depositions made before the Magistrates, it might be also necessary to say, that there was a great deal of oral evidence to the same effect, which, of course, had its influence on the minds of the Magistrates who signed the warrant for arresting the Deacles. Of these Magistrates, however, he himself was not one. He was merely a party with some of his friends concerned in the execution of the warrant. He had, however, thought it right to trouble the House by reading the depositions at length, in order that the House might comprehend under what impressions the Magistrates proceeded to execute the warrant against these persons, and whether it could be fairly said, that they had grossly outstepped the bounds of their duty, invaded the privacy of domestic life, and wantonly insulted a modest and retiring woman, when it became necessary to take legal notice of the proceedings of a person who employed the influence of her sex, and the power of her station, to ruin the poor and the ignorant who lived in her immediate neighbourhood. A good deal had been said of the station of the Deacles. He was willing to allow, that they were much above the ordinary condition of the farmers in that part of the country; he was quite willing to admit, that their station was much above the class of those who had been charged with the proceedings which were unhappily, at that time, going on in this part of the county; but that only made their conduct the more reprehensible. He had seen, with pain, and with sorrow, the ignorant and deluded labourer guilty of acts which required the immediate interposition of the strong arm of the law; but when he

found a person like Mr. Deacle, a man above the common rank of farmers, employing his influence to encourage the commission of the offences of which the poor labourers had been guilty—inciting them to frame-breaking, encouraging them to demand the reduction of rent and tithes, and accompanying them to demand money, but stopping at the end of the lanes while his assistants went forward to the houses; when he saw all this, he thought, that such a person was deserving of the immediate attention of the Magistracy, and that it was a matter of policy, as much as of justice, to remove him from the scene of his offences, and to make him amenable as speedily as possible at the bar of public justice. That was the feeling of the Magistracy. It was with that view the arrest took place, under the circumstances which had been described; and he was bound to say, that after the execution of the warrant against the Deacles, they heard no more of any outrages in that part of the country. He might here observe, with respect to the conduct of the Magistrates, in ordering and executing the arrest, it was of no consequence that the facts stated in the depositions were not afterwards fully borne out on the trials. They were stated on oath, in the information before the Magistrates, and on that they were bound to act, and to apprehend the accused. He now proceeded to the three charges which were preferred against his relation and the other Magistrates, and which formed the subject of the evidence on the trial. The warrant was put into the hands of a constable named Lewington, who professed to be acquainted with the persons of the accused; and he might then observe, that he believed it was the very first arrest in that part of the country which had been, up to that time, attempted without the assistance of the military. On the trial this constable is represented to have said, that he told the Magistrate he required no assistance, and that he was not aware of the intention of the gentlemen to accompany him. But he could state on his oath, that Lewington told him, that Mr. Deacle was not a person to be taken easily. The words were so remarkable, that they made an impression on his mind, and he was positive on the point that they were used. He asked Lewington what he meant by that—did he mean to say that Deacle would resist? And Lewington answered,

that he believed he would : and that he must have assistance. He (Mr. Baring) then told Lewington, that a party of gentlemen would accompany him, and desired him to get a light spring cart for the purpose of conveying the prisoners to Winchester. With regard to this cart, of which so much had been said, it was obvious that any other and speedier method of conveyance would have been more agreeable to those who had such a disagreeable duty to perform ; but they conceived, that in a part of the country which, it should be understood, is rather wild and retired, no other conveyance could have well escaped notice. He was convinced, indeed, that if they had attempted to bring their prisoners away from their own house in a post-chaise, the house would have been surrounded, signals would have been given, the whole population would have been up in arms, and it would have been impossible to avoid the risk of a rescue. It was but the day before the execution of this warrant, that a military escort was necessary to convey the prisoners from Romney to Winchester ; and he begged again to observe, that no warrant had been executed before without the assistance of the military. He thought it right also to remind the House, before he proceeded further, that he stood before them in some measure as a witness in favour of his relation, Mr. Bingham Baring, who had been so much censured for the part he took in those transactions, and whose conduct, he might add, had been so grossly calumniated. He proceeded now to speak more distinctly of the three charges brought against his relation, and he was entitled to do so with more confidence, as he himself had been acquitted of all participation in them by the verdict of a Jury. In the first place, then, the constable, Lewington, swore on that trial that Mr. Bingham Baring rode up to Mr. Deacle's, came into the house, and said, "Constable do your duty ; hand-bolt them ;" and he added, that he (Mr. F. Baring) and another gentleman were present at the same time. It should be here observed, that he did not intend to enter minutely into all the evidence in his possession, because, if he were to state all the facts, he might surrender all chance of justice which was yet left to his relation in a future examination of the case. He was ready now, however, to say most distinctly, that Mr. Bingham Baring did not enter the

room, as the constable stated ; that no words such as those mentioned could have been used by Mr. Bingham Baring, and that it was impossible he could have given such an order as the witness described, because he had not even seen the Deacles until after they were confined with the hand-bolts and released. The person who gave the order he would not at that moment mention, nor say any more than that he accompanied them to identify the prisoner. After the handcuffs were removed, and after Mr. Deacle was taken to the cart, it was sworn, that Mr. Bingham Baring caught Mrs. Deacle in his arms, and dragged her through the mud, with her head and feet hanging close to the ground. Now he (Mr. F. Baring) was ready to state on his oath, that the constable was totally mistaken with respect to this part of the case. He was himself the person who carried Mrs. Deacle, and he would state the whole of the circumstances connected with that part of the transaction. They had waited some time for Mrs. Deacle's bonnet and cloak, but on finding that the delay was considerable, and that Mr. Deacle had been taken to the cart, he offered his hand to Mrs. Deacle, and prepared to follow the others, Mr. Bingham Baring having accompanied those who were with Mr. Deacle. Mrs. Deacle, on the way, complained of the mud through which it was necessary to pass, and he offered to lift her over a part of the path, which, as it is usual in farm-yards, was wet and dirty. He was almost ashamed to enter into such details. The lady said, she was afraid he would find her very heavy. He told her, he did not recollect in what terms, that he believed he should be able to carry her in safety ; and he then took her in his arms, in the least familiar manner that was possible, and carried her, with all the respect due to her sex and station, about half a dozen paces, and then led her to the cart. On the way the servant joined them with Mrs. Deacle's bonnet and cloak, and she was then placed in the vehicle. This fact he could prove on the oaths of the whole of those gentlemen who had been made co-defendants with him in the action. It was admitted on the trial, that he (Mr. F. Baring) had not evinced anything like harshness or severity in his conduct, and it might very reasonably be presumed, that the witnesses whose testimony implicated Mr. Bingham Baring, were altogether mistaken in the evidence they gave. That

Gentleman, however, was deprived of the means of vindicating himself in the clearest possible manner, in consequence of the other parties engaged in the transaction having been made co-defendants with him. The third charge was, that Mr. Bingham Baring refused to allow Mrs. Deacle to be conveyed by her own horse. Upon this point it might be sufficient for him to say, that no time whatever was to be lost, for the Magistrates apprehended a rescue every instant. A man was seen standing at the door with a gun in his hand, which Mr. Bingham Baring took from him. Perceiving this, and well knowing the convulsed state of the country, the Magistrates were anxious to see the warrant executed without a moment's delay. Her horse was not ready saddled, and it would have taken some time before everything necessary could be arranged. Under such circumstances, it was not deemed right to allow those indulgences which, in a different state of things, he might have been very willing to grant. Whom were the Magistrates to trust to, surrounded as they were by a highly-agitated population? He, for one, at least, feared a rescue, and knowing that such an attempt would cause bloodshed, he considered, that that was not a proper time to listen to small objections. But it was said, that she was an invalid at the period when the transaction occurred. It might be so—but how could the Magistrates suppose, much less believe, that, when they had the evidence in the depositions before them, that at four o'clock on the previous day she was at the head of a body of men engaged in breaking machinery, whom she encouraged by her smiles? Had they any reason to think, that she was in a very delicate state of health? He now came to the cart in which the Deacles were conveyed. It was certainly a light market-cart, and, undoubtedly, at their first starting, they went at rather a quick pace, and Mrs. Deacle complained that they went too fast, and that she was affected by the jolting; but let it be considered, that the place they were going through was a narrow by-lane, in which an attempt at rescue could be easily made. They had passed on the road a servant of Deacle's, who had set out before them, and at one part of it they saw three men standing with a gate unhung, which, if they had thrown in their way, would have completely obstructed them for a time, and, in

the then agitated state of the country, they might not unreasonably dread an attempt at rescue, particularly as the road went round a village, from which even a small number of men might easily have obstructed their passage. They, therefore, did go on at rather a quick pace, but that it was not at any violent rate was proved by the fact, that the two constables who were on foot kept up with them without any difficulty. But when they came to the open road they went at a slower pace, and there they obtained a post-chaise, in which the prisoners were conveyed to Winchester. As to the alleged blow by Mr. Bingham Baring, he was not able to speak farther than this, that he saw nothing of it. There was, however, another gentleman with the cart, who could state, that he saw Mr. Deacle raise his hand to catch hold of the reins, and Mr. Bingham Baring at the same time raised his stick, and touching him gently with it, said, "Let the reins alone, Sir;" but this gentleman was made a co-defendant, and, of course, had no opportunity of stating that fact on the trial; but for his part he (Mr. F. Baring) saw no blow, or anything like a blow, or any temper that evinced even the slightest disposition to inflict a blow on the part of Mr. Bingham Baring. He might also add, that on his way to Winchester he spoke frequently to Mr. Deacle, and he never made any complaint that he had received a blow. Nor did he (Mr. F. Baring) ever hear anything on that subject until he received a letter from the attorney for the plaintiff, stating that he was going to bring an action. Having stated thus much of matters which had come within his own knowledge, he would ask, was the evidence of the constable sufficient to warrant such a colour as had been given to the whole transaction? He (Mr. F. Baring) had given his statement of the facts exactly as they occurred, with only the exception, that he could, as he had said, go into more minute details, on many minor particulars, but he did not think it would be fair to his friend to put other parties in possession of matters that had better first be brought forward before the tribunal which might have to investigate them. He now begged to thank the House for the patience with which it had heard him, and to express his gratitude to the hon. Member who brought forward this Motion, for the opportunity he had given him of appearing before the House

as a witness in behalf of his friend and relation. He had been reared up with his hon. friend for years, and he knew him, and, from his intimate knowledge of his disposition and habits, he would say, that he was the last man in the world who would be capable of such conduct as had been imputed to him in this instance. [An *Hon. Member* here intimated a desire to know why Mr. Deane had not been examined at the trial?] He was glad of the opportunity which the hon. Member had given him of noticing that fact, which would otherwise have escaped his attention. Mr. Deane was not examined. He saw no blow given; and even if it had been, he could not have seen it, for he almost immediately left the cart when the prisoners got in, and went on to Winchester, to order a post-chaise. He could not, therefore, be called upon to disprove an alleged fact, of which he could have no knowledge. But the House was aware, that counsel sometimes, looking to the effect of a powerful reply, were apt to throw a witness overboard. If the same investigation were to be gone into again, there was not an individual in any way connected with the transaction, whom he and Mr. Bingham Baring would not be most ready to put into the witness-box. But the misfortune of the case was, that all the principal parties who could speak to the facts as they occurred at Deacle's house, and on the road, were made co-defendants, and thus precluded from making the case known as it occurred. The hon. Member concluded by thanking the House for the patience with which it had allowed him to defend his relation and friend from the accusation of having been guilty of acts which every man of honour must condemn.

Mr. Serjeant *Wilde* said, that having been engaged in assisting the Attorney General in conducting the prosecutions at the late special commission in Hampshire, he hoped he should be excused if he stated a few of the circumstances which had come to his knowledge as to some of the matters connected with this charge. Of the manner in which the warrant in this case was executed he knew nothing, but probably something might be inferred as to that matter from the circumstances he was about to state. It had become a part of his duty to investigate the informations that had been prepared, in order to ascertain who were the instigators of the pro-

ceedings for which so many were to be placed on their trial. In the course of those investigations, he found, that a certain number of farmers had met together and drawn up a paper addressed to landlords and clergymen, for the purpose of inducing them to lower their rents and tithes. At this meeting there were several whose names were stated, and amongst others this Mr. Deacle, and a man named Boyce. Soon after this, some of the same parties met again, attended by a considerable number of labourers, who pressed others to join; so that, at last, they became formidable in numbers, and proceeded to the houses of several gentlemen in the neighbourhood, at first insisting that the paper for lowering rents and tithes should be signed, then demanding money, and also destroying machinery. A party of this kind, amounting to 400 or 600, went to the house of Miss Long, armed with hammers, hatchets, clubs, and other kinds of weapons, and one of the persons in the crowd called out that the paper should be signed. The lady having signed it, Boyce, who was present, retired to the rear of the crowd, where Deacle was waiting. Boyce was a farmer in independent circumstances. The mob then demanded 15*l.*, but went away after having obtained 5*l.* From that place they went about destroying machinery, and obtained money by threats of violence at several places. Having found that some of the farmers had set the example of breaking their own machinery, the labourers felt themselves justified, as it were, in going about to destroy the machinery of others, and there was no doubt that, but for the encouragement they had received from the farmers, they would never have proceeded to such extreme acts of violence. Boyce, who took so prominent a part in the proceedings, was tried, and acquitted, as much to his astonishment as he believed it was to that of every man who heard the evidence. He had every respect for the Jury who tried him, but he owned he was not able to account for the acquittal, except it were that it was produced in a great degree by the sympathy of those who were in the same condition of life as himself. On hearing the acquittal, he wrote to the Attorney General, who was in the other Court, stating the fact of the acquittal, and stating his opinion, that a man whom he believed to have been mainly instrumental in fomenting much of the riot and

disorder which had occurred in the county should not be allowed to escape, as there were other indictments against him. In this the Attorney General concurred, and by his advice, Boyce was brought before another Jury in the other Court, and on nearly the same evidence, but applying to another case, was convicted—not, however, of the capital charge, for he escaped that by a mere technicality, as Miss Long, the lady from whom the money was taken, did not see him at the moment it was given by her butler. He was, however, sentenced to transportation. Looking at the informations against Deacle, at his station in life, and the part he was described to have taken in these proceedings, he thought that he ought to be prosecuted, and in this the Attorney General concurred; and as the prosecution was intended, he used great caution in examining witnesses in other cases, in order to prevent the name of the Deacles from transpiring, that their case might be in no way prejudiced; that the prosecution had not been gone into, he could only attribute to the speedy pacification of the county which followed the first steps taken to bring the guilty parties to justice, and this was, in a great degree, owing to the prompt and vigorous exertions of those very gentlemen whose conduct formed the subject of the present discussion. Indeed, he would say, that the sudden restoration of the quiet of that part of the country was almost miraculous. If there was any harshness in the steps taken by these active Magistrates in the execution of their duty, he should regret it. Of that he knew nothing; but this he did know, that the case was one which required prompt and vigorous exertion. Whether they had exceeded the strict bounds of law, he could not state; but this he could state, that as all the parties who were made defendants were men of ample fortune, sufficient damages could have been recovered from any one; and if truth were the object, they would not have been joined as co-defendants. But those in the profession knew that where parties were thus joined, and all evidence shut out, the case could be only considered as *ex parte*. The parties were in some respect taken by surprise as to portions of the evidence: and if that should be made out to the satisfaction of the superior Court, a new trial might be granted: it would, then, be better to wait until that was known before the House proceeded any farther

with this case. As to calling for the notes of the Judge, he did not suppose the House would be ready to accede to it. They were the Judge's private notes, and there would be great difficulty in producing them. As this was not a case where a party was selected for any private motives, every allowance should be made for those who acted in the honest discharge of their duty. Another objection to this Motion was, the effect it might have on any future acts of Magistrates. If ever any similar circumstances should occur, which, he hoped, would not be the case, he trusted that Magistrates, instead of being prevented by the obloquy which had been thrown on these gentlemen, should rather be stimulated to carry into force the law, which, while it commanded respect, also inspired terror. He hoped that Magistrates would not be deterred from doing their duty by the misrepresentations that had gone forth in this case. In conclusion, the hon. and learned Gentleman observed, that though he regretted that the lady in this case might have been lifted over the mud, or carried to the cart, or in it, a little more quickly than was agreeable, still he must say, that he was glad that the result of these prompt and active steps, in apprehending those against whom informations were laid, had succeeded in putting down tumults, which though they had not been unattended with loss of life, might have been attended with a still greater loss, and that they had not been so they owed to the great activity of those very gentlemen whose conduct was so very, in his opinion, unjustly impugned.

Sir G. Rose bore testimony to the great activity of Mr. Bingham Baring in endeavouring to suppress the riots that had taken place in the county. On one occasion, at great personal risk, he went into the midst of a large and riotous mob, and was the means, not only of dispersing it, but of bringing many of the most active of the rioters to justice.

Mr. Hume said, it was impossible for him to remain silent, after hearing the speech just delivered by his hon. and learned friend (Mr. Wilde.) He would, however, in the first place, begin by stating, that no hon. Member of that House had stood more favourably in his opinion than Mr. Bingham Baring. Ever since he had known that Gentleman, as a Member of the House, he had considered him

as an example of mildness and affability, and utterly incapable of performing the act with which he had been charged. He was not, therefore, disposed to give credence to the charges made against Mr. Bingham Baring; and had they not been proved by evidence, he never could have believed, that that Gentleman had been guilty of one half of the severities alleged to have been committed by him. He was well aware of the important and difficult duties which Magistrates had to perform in times of disorder; and he thought, that no man should allow himself, when the danger was past, to judge too severely of their conduct, but should make some allowance for the circumstances in which they had been placed. But he regretted extremely, that his hon. and learned friend (Sergeant Wilde) had given a tone and temper to the debate which had not been imparted by the preceding speaker. If there was any point more than another respecting which he was anxious to obtain satisfaction (and his anxiety, he was sure, was shared by a great portion of the public), it was this—how far the Magistrates who were present at Mrs. Deacle's apprehension, conducted themselves with proper attention and delicacy towards her; and whether the severities alleged to have been committed towards that lady were actually committed by them? He had listened with great attention to the speech of the hon. Member (Mr. F. Baring) who, at the conclusion of his observations, stated, that he had himself afforded assistance to the lady to cross a puddle [*laughter*]. He saw the Members plainly enough who were laughing, and he thought that it would do them more credit if they refrained from such a proceeding. He wished to know whether, after the civility which was stated to have been shown to Mrs. Deacle, it was true or not that orders were given to convey her and her husband away handcuffed, and whether it was true, that Mr. Deacle attempted to take the reins and drive the cart? He wished, that his hon. friend had given some explanation on these points. He gave his hon. and learned friend credit for the due performance of those duties which he was called upon to discharge, but he asked him what possible connexion there was between the case of Boyce and Deacle? He had not imagined, before his hon. and learned friend acquainted him with the fact, that a man could be tried in one Court, and, after his

acquittal, be handed into another Court, and there again put on his trial, changing, perhaps, the form of the indictment. He thought such a proceeding was contrary to the principles of the English law. He understood, that his hon. and learned friend had stated, that Boyce, a farmer, was tried and acquitted on one charge, and that he was, at his learned friend's own suggestion, sent to another Court, and found guilty upon another indictment of rioting. He wished to know whether any orders for handcuffing were given; for such conduct was inconsistent with the opinion he had formed of Mr. Bingham Baring's character. He had also risen to protest against the language used by his hon. and learned friend, at the conclusion of his speech, when he stated, that it was one of the duties of Magistrates to strike terror into all around them. He was well aware, that in times of difficulty Magistrates were bound to perform their duty firmly, because in such cases firmness was mercy towards those persons who had been misled. He, therefore, did not dissent from the observations of his hon. and learned friend, that the Magistrate who hesitated to perform his duty to the utmost became a party to the crime. But he asked the hon. and learned Gentleman, whether we lived in a country where a Magistrate's presence ought to be a terror to all around him? Those were the words of the hon. and learned Gentleman. ["*No, no!*"] If he was mistaken, he should be happy to be corrected, but he did think that the hon. and learned Gentleman had said, that he hoped to see Magistrates striking terror into all around them—["*No, no!*"]—on all evil-doers at any rate. He, however, held, that in the situation in which the country was placed, the Magistrate should be regarded as an individual ready to afford protection to all, and not to strike terror, as had been recommended; and he had risen to enter his protest against such a doctrine. He should be most happy to find, that he had misunderstood the hon. and learned Gentleman on this point; for he could not but regret that so high a legal authority had recommended Magistrates to adopt a system of terror. He requested any Gentleman who differed from him in opinion to rise and state his sentiments in a manly manner, and refrain from the disorderly interruption of which they had just been guilty. If he had mistaken the meaning of the hon. and learned Mem-

ber's words, that Gentleman, so far from blaming, would feel obliged to him for giving him an opportunity to explain any thing which was doubtful in his speech. He had thought it his duty to ask for the information which he had done, respecting the case of Mr. and Mrs. Deacle; because, if it had not been for the evidence produced at the trial, and the conviction which took place, his own opinion would have led him not to have given credence to the charges made against Mr. Bingham Baring.

Mr. *Carter* said, that the hon. member for Middlesex having asked for information on two points, he would endeavour to satisfy the hon. Member on the first point. He thought, however, that if the hon. Member had attended to the statement which had already been made, and had likewise examined the circumstances which had appeared before the public, he would have seen, that there was no necessity to ask the questions to which he desired to have an answer given. One of the charges made against Mr. Bingham Baring was, that he entered the house of Mr. Deacle, and the room in which that person and his wife were sitting, and gave orders for putting handcuffs on them. His honourable friend, Mr. Francis Baring, had met that charge by stating, that Mr. Bingham Baring was not in the room, with Mrs. Deacle, and could not, therefore, have given orders to put the handcuffs on Mr. Deacle, and Mrs. Deacle. It was not denied that handcuffs were put on those persons, but if the hon. member for Middlesex had attended to the circumstances of the trial, he would have seen that Mr. F. Baring, as soon as he perceived the handcuffs, gave instant orders for their removal, and succeeded in extracting the hands of Mrs. Deacle from them, though, that not being a material fact before the House, Mr. F. Baring had omitted to mention the matter. It was, however, impossible to remove the handcuffs from Mr. Deacle, because they were so constructed as to require a key to unlock them, which was not at hand. The fact, therefore, was, that Mrs. Deacle was, as soon as her situation was observed, instantly released, and that Mr. Deacle, though he had the handcuffs round one hand, was not thereby incapacitated from using his other hand to seize the reins.

Mr. Sergeant *Wilde* felt much obliged to the hon. member for Middlesex, for giving

him an opportunity of correcting an inaccuracy of expression into which he had fallen. What he meant to have said, but what he took for granted, from what had fallen from the hon. Member, he had not said, was, that when persons in large numbers engaged in riots, the presence of Magistrates, of men of rank and respectability, who could have no interest but to preserve the public peace, was calculated, and he hoped would have the effect of striking terror into the violent and disorderly; and he ought to have added, and inspire among the well-disposed, confidence in the laws. The hon. member for Middlesex inquired what connexion there was between the cases of Boyce and Deacle. He informed the hon. Member that Boyce and Deacle formed part of the same mob. They were the parties who prepared the papers which were carried round by men for the landlords and clergymen to sign. The reason why Boyce was tried twice was, because he had committed several robberies. He was tried for one robbery, and his next trial was for another robbery, committed at a different time and place, and totally distinct from the first. For that robbery he was prosecuted by the Attorney-General, and the Jury, without hesitation, convicted him.

Mr. *Baring* said, that he would not take up the time of the House by going over the ground which had already been so well occupied by those who had gone before him; and he did not know that the details of the case required much addition from him. Whatever might be Mr. Bingham Baring's consciousness of his own innocence—whatever might be the kind feeling of his friends towards him, or their opinion respecting his character, and he believed that the hon. member for Middlesex had expressed the unanimous opinion of all who knew Mr. Bingham Baring, yet it was grievous for him to stand before the world in the light in which he had been placed for the last ten days. They perfectly well knew that the newspapers had the power of misrepresentation. No man's character, or the good opinion of his friends, proved any security to him against that slander which went forth into the world through their instrumentality; and had it not been for the interference of the hon. Gentleman (Colonel Evans) who had brought this matter forward, in as unobjectionable a mode as possible, he did not know whether there would have been an

opportunity of stating the facts of the case for months to come. He need hardly take the pains to notice the manner in which this question had been worked up in the public Journals. The persons who had been attacked were the most inoffensive persons, perhaps, in this great Metropolis, and, therefore, that sort of violent persecution which had been directed towards them was most extraordinary. The facts which came out at the trial were represented in glowing colours; for it was the evident object of those who got up this transaction, to produce an effect, and the consequence was, that a great sensation had been excited by the public Press of this country. He admitted, that the transactions, barely stated, were calculated to excite that feeling which was so generally expressed. Mr. Bingham Baring was not at Winchester during the trial, nor did any person in that part of the country think the matter of any importance, until remarks of the most astounding nature were made upon it. Mr. Bingham Baring knew nothing as to the mode in which the case had been conducted until he observed the violent manner in which he was attacked in the public Press. What did he immediately do? He said he would go to the country and see in what manner he could prove his innocence; but before he was able to start, he was fallen upon by the whole Press of the Metropolis, in a manner which made it impossible for him not to offer something of a defence without delay. Accordingly, he made a defence, closely following the facts as they appeared on the trial; but what was the conduct of the Press? Mr. Bingham Baring had taken the different charges in succession, and in the first place stated, that he did not order the handcuffing of Mrs. Deacle, and proved that it was impossible for him to have done so, because he was not in the room. Then, secondly, as to the dragging Mrs. Deacle through the dirt. For his part, he must say, that if there was any shadow of truth in the charge, that this woman was dragged with her head hanging one way, and her heels another, by Mr. Bingham Baring, that Gentleman would be disqualified from ever again showing his face before his fellow-countrymen. But Mr. Bingham Baring proved, that he was not there when the woman was taken away; and said, further, that he would produce the persons who actually took her. The House, indeed, had

that night heard the evidence of the Gentleman who actually led and carried her to the cart. In the same manner Mr. Bingham Baring positively contradicted every other charge, with the single exception of the case of the blow, respecting which he should state something presently. But what was the conduct of the Press, and of *The Times* newspaper, next day? They said, "We do not believe one word of your statement;" "it is quite impossible to be true," said those great friends of justice, and they determined that there was not a tittle of truth in Mr. Bingham Baring's defence. All that that Gentleman asked for was time, and he would engage to prove his statements by evidence; but *The Times* replied by stating, that it was all irresponsible gossip, and not to be believed. "If these things were true," said the editors, "why did they not come out at the trial?" The reason, Mr. Bingham Baring said was, because all the persons capable of proving the facts were made co-defendants, with the single exception of Mr. Deane, who, however, could have proved nothing, because he was not at the place at the time. This explanation, however, was called nothing but an impudent aggravation of his offence, and a flat denial was given to the truth of the statement. He valued as much as any man the liberty of the Press in this country, and no one was more convinced that they must put up with all its inconveniences for the benefit which it conferred; but when the Press was guilty of so much injustice as it had exhibited in the present case, he confessed, that they paid dearly for its advantages. He thought that the House must be convinced by the statement of the hon. and learned Sergeant, and the account which had been given of the disturbed state of the country at the time, together with the depositions given on oath before the Magistrates, that Mr. and Mrs. Deacle were concerned in the prevailing riots; he thought, considering all these circumstances, that the House would agree, that there were just grounds for arresting them; especially when it was seen that on their apprehension a stop was put to the disturbances. If those parties had not been arrested, the Magistrates might then have been accused of neglecting their duty from cowardice. Undoubtedly, the justice of the arrest, and the mode of executing it, were two different things. He would not go again over the two

charges, of ordering the handcuffing, and of dragging the lady through the mud, because, as he had before stated, Mr. Bingham Baring was not present at those transactions. He would read only one part of Mr. Francis Wright's deposition. The house where Mr. and Mrs. Deacle were apprehended was a farm-house. Mr. Francis Wright went into the parlour where Mr. and Mrs. Deacle were sitting, while Mr. Bingham Baring proceeded to the kitchen, where he saw a man armed with a gun, and observed several other fire-arms in the same place. Mr. Bingham Baring occupied himself in securing these arms, and in wetting the powder, and Mr. Francis Wright said, that he went into the parlour, where Mr. and Mrs. Deacle were handcuffed; he stated, that Mr. Bingham Baring gave no orders for the handcuffs to be put on, nor did he see Mr. Bingham Baring enter the room. Nothing was so absurd as the attempt to fix the order to handcuff Mrs. Deacle on Mr. Bingham Baring. It had already been proved that his hon. relative (Mr. Francis Baring) had released Mrs. Deacle from the handcuffs as soon as he observed her condition; and he would also have released Mr. Deacle, had he possessed the key which unlocked them, for the handcuffs were spring-lock handcuffs. But it was not an unusual practice to place handcuffs on persons arrested under similar circumstances. Mr. Bennett, the governor of Winchester Gaol, stated in his deposition, that about 400 persons in all were brought to the gaol under these arrests, and nearly the whole of them were handcuffed. Gentlemen must be aware that the execution of Magistrates' warrants was not unattended with difficulty at a time of public disturbance. They were often executed in the midst of a mob of hundreds of persons, and therefore some means were necessary in order to secure the persons of the prisoners. But Mr. Bingham Baring proved, that he was not the person who ordered these parties to be handcuffed. Yet the constable, on whose evidence the accusation rested, stated, that he came into the room and ordered the handcuffs to be placed on. This was, however, shown to be impossible on the other side. He would now make a few remarks on the charge made against Mr. Bingham Baring, of having given a blow to Mr. Deacle. With respect to that charge, Mr. Bingham Baring said, that if he were put on oath, he could not

swear he did not touch Mr. Deacle. All he could say was, that riding by the side of Mr. Deacle, and observing that person repeatedly attempting to seize the reins, he called upon him to desist. He did not recollect to have done any thing to him; it was impossible for him to say that he did not touch him, for it was very difficult to prove a negative. He would put the House in possession of what Captain Neville, one of the parties present, said on the subject. After giving a detail of the case, exactly as had been already stated, Captain Neville stated, that Mr. Deacle attempted to seize the reins, when Mr. Bingham Baring, putting his riding-stick on the reins, called out to Mr. Deacle, "Sir, you are not the person to drive: let the constable do that." Captain Neville added, that he did not see Mr. Bingham Baring strike Mr. Deacle, and said, that had Mr. Bingham Baring given a blow, he must have observed it. That was the testimony of Captain Neville, who afterwards said, that he made that statement in justice to Mr. Bingham Baring. All the other gentlemen present at the transaction gave the same account of it; but Mr. Bingham Baring had not had the benefit of their depositions on the trial, because they were made co-defendants, though not a tittle of evidence was presented against them. His hon. friend had stated, that a Jury had convicted Mr. Bingham Baring, upon the oath of a constable, and that the depositions of these gentlemen, who expressed their readiness to swear to them, ought not to have greater weight than the evidence of the constable given on oath. But the grave part of the charge made, was not investigated at the trial. Mr. Bingham Baring was tried for an assault, and much heavier damages would have been given if he had been found guilty of the other offences which were imputed to him. The Jury, seeing that a blow was positively sworn to, and that no person was prepared to disprove that a blow was given, could not avoid pronouncing a verdict in favour of the plaintiff. Mr. Bingham Baring did not pretend to say, that he did not put out his stick; all he could speak to was the *animus* with which he did it. He thanked the House for the attention with which they had heard him. He was aware that the subject was more of personal than public importance, but it was not altogether unimportant. He would only say in conclusion, that if there

was any Gentleman in the House who had any doubt with respect to this matter, he would feel much obliged by that Gentleman calling upon him, and examining the papers. He would, indeed, be glad to submit the case to half a dozen Gentlemen, whom the hon. mover might select, and abide by their decision. So strongly, indeed, was he convinced that the whole case would bear the closest investigation, that he would be willing to take the editors of the newspapers who had been libelling and slandering Mr. Bingham Baring, and submit the case to their decision. The hon. and learned Sergeant had alluded to the possibility of further proceedings. This was a question for legal judgment, but there was undoubtedly a double difficulty in moving for a new trial. Those gentlemen who had given depositions in favour of Mr. Bingham Baring, could not be released from the indictment for the purpose of giving evidence; and there was this further difficulty, that it would be impossible to negative the assertion that a blow was given, and therefore the verdict for assault could not be set aside.

Sir *J. Scarlett* was sure, that the statement of the hon. Member who had just sat down, would give universal satisfaction. The House sympathised with the feelings of the hon. Member, and was satisfied with the explanation which he had given of the conduct of his excellent and amiable relative. He was anxious to state the impression made upon his mind by reading the report of the trial in the newspapers. When he saw many persons included in the indictment, and a verdict given against one of them only, it immediately occurred to him, that the attorney for the plaintiff had made them co-defendants, in order to exclude them from giving testimony on the trial. The impression on his mind was, that the case was misrepresented, perhaps exaggerated, and supported by false testimony. He was certainly very much surprised at the comments which appeared in the newspapers on the trial. Perhaps the editors of newspapers were not aware of the practice often resorted to by attorneys, to put together in one net all those persons who might be called as witnesses for the defence.

Mr. *Hunt* hoped the House would listen with patience to the few observations he should make. The hon. and learned Gen-

tleman of that the upper end of the (Opposition) bench who had just sat down, had spoken of putting a number of people together in one net. And he begged leave to ask the hon. and learned Member whether his recollection of the conduct of attorneys was at all sharpened by his knowledge that the hon. and learned Gentleman when Attorney-General for Lancashire, had put him (Mr. Hunt)—and all that were with him, into the same net, in order that he (Mr. Hunt) might not have an opportunity of making a defence. He was very happy to see the hon. member for Thetford laughing; but he would not make the slightest reflection on him, for he respected his feelings as a parent. He declared, that on reading the report of the trial, he was struck with horror at what appeared to him an extreme case of cruelty, practised by a gentleman who filled the office of Justice of the Peace, and who had committed one of the most offensive violations of the peace, by striking an unarmed and fettered female. He had himself experienced cruelty from officers, and he knew how much torture they had it in their power to inflict. He should be rejoiced to find, that the evidence given on that trial was not correct, but he confessed that he had heard nothing yet but unsworn testimony in opposition to the facts distinctly proved at the trial. They had as yet heard nothing about Mr. Deane. Oh! yes; he was told that some explanation was given about that gentleman while he was out of the House; for not expecting the question to come on, he had left the House and got his dinner. He had thought, that the noble Lord would not allow any other question but the eternal Bill to be discussed. He thought that the statement made by hon. Members was not sufficient proof that the constable had sworn falsely. It had been stated, that Mr. Bingham Baring was not in the parlour; but he might have called upon the constable from the kitchen to do his duty. He did not mean to say that Mr. Bingham Baring did so, but yet such a thing was possible. He had read the defence of that gentleman in *The Times*, and the comments made upon it. But he would not allow these comments to have any effect on his judgment, for he knew how easy it was for editors of newspapers to slander any one. He had suffered from them himself, and he supposed many other hon. Members had suffered in the like manner. He thought the best plan

to pursue would be, to call for a copy of the evidence produced at the trial, together with the Judge's observations and notes. If Mr. Bingham Baring waited until the time for a new trial, he would then be placed in an awkward situation, for his character would suffer if he failed to obtain a verdict; and how was it possible for him to get a verdict, if, as he stated, all his witnesses were included in the indictment as defendants? The hon. Member proceeded, amidst considerable interruption, to refer to the facts of the case, and in doing so, spoke of Mr. Bingham Baring having gone out to see Mrs. Bingham Baring in the cart. Members might laugh at his mistake, but he wished that Mrs. Bingham Baring had been in the cart instead of Mrs. Deacle. Mrs. Deacle had committed no offence, and no witness had ventured to swear, that Mr. Bingham Baring had not struck a blow at an unarmed man in fetters.

Mr. *Mildmay* could not but strongly express his surprise at the observations just made, when he remembered, that he who wished to fix a stigma on the character of an hon. Gentleman—he who talked about injustice and oppression, was himself so unjust that he spoke in this strain, although he was not in the House when the explanation was given. If he were now to look for one who would exercise oppression and injustice—for a man who would dare to malign the character of another, without hearing his defence—he must look among the constituency of Preston—he must look among the Members of that House—he must, above all, look to that man who stood up as the friend and supporter of liberty and justice. He was sure that the hon. member for Preston could not have heard the statement of that hon. Gentleman, who, in so noble a manner, had stood forward, at the expense of his own character, to save that of his friend. He could not have heard it, or he surely would not have had the cruelty to make these remarks. He could not sit still and listen with patience to such remarks, without letting the House know the fact, that he who made them had not heard the defence. Although there had been no disturbances in the vicinity of his residence, yet there was a spirit of discontent, and the minds of the people were greatly excited. It was, therefore, necessary to act with energy and promptitude; but if such charges as the present were to be brought,

the magistracy would be deterred, if unhappily disturbances should again arise, from exercising proper firmness. In the neighbourhood of Mr. Baring's residence, the most violent outrages had been committed; and as there was a strong presumption that Mr. and Mrs. Deacle had encouraged the peasantry in these disturbances, warrants were issued for their apprehension. Caution was necessary in the execution of those warrants, as there was reason to suspect they would be resisted by the peasantry. It was to be regretted that handcuffs were used; but considering the temper of the people, the Magistrates were, in his opinion, justified in causing them to be put on. No orders, however, to that effect were issued by Mr. Bingham Baring; and Mr. Francis Baring had ordered those placed on Mrs. Deacle to be removed. The Magistrates, in the difficult position in which they were placed, were called upon to act with energy and decision. He believed they had done so; but he could not allow this question to be decided, without expressing his indignation at the conduct of the hon. Member, who was ready to condemn a man without hearing a word of his defence.

Mr. *Hunt* said, that he was accused of making a statement, without having heard the explanation. He made that statement as he should have made it if he had not heard one word of the evidence.

Sir *J. Scarlett* said, that the hon. member for Preston had alleged that he spoke of counsel and attorneys joining persons together in actions. He begged to inform the hon. Member, that he had never said any such thing, and that counsel did not interfere in that part of the proceedings. With respect to the hon. Member's own indictment, he (Sir James Scarlett) had not had any thing to do with the framing of it.

Mr. *Hunt* had never said, that counsel did more than advise upon such matters.

Lord *Althorp* said, that the gallant Officer, by bringing forward this case, had afforded an opportunity for an explanation to be given of the circumstances attending it, and a most satisfactory one had been given; but the nature of the motion was such, that it was impossible the House could accede to it. From the general feeling which pervaded the House, he did not think it necessary to enter into any argument to prove that the papers ought not to be produced. He thought that his

hon. friend had acted right in seconding the motion, and availing himself of that opportunity of offering an explanation to the House. His explanation had proved satisfactory to the whole House, with the exception of one hon. Member, and that Member had not heard it. Having the pleasure of knowing Mr. Bingham Baring very well, he did not for a moment believe that he was capable of acting in the brutal manner which he was represented to have done. If there was one man in the world less likely than another to act in such a way, it was his hon. friend. He could not help concurring entirely in the indignation expressed by the hon. member for Thetford, at the conduct of those who had pressed on Mr. Bingham Baring in the way they had done, without giving him any opportunity of making his defence; and who, when he did offer a defence, treated it with derision and contempt. He should not do justice to his feelings, if he did not state, that he fully participated in the indignation which had been expressed at the conduct of those parties. The whole case was now fairly before the public, and he was quite sure, that all who had heard the speech of the hon. member for Portsmouth, or who might read it hereafter, must be perfectly satisfied, that the conduct of Mr. Bingham Baring, and of all the Magistrates, had been, in all respects, justifiable; and that they exhibited no harshness which the circumstances of the case did not render necessary. He did not think it necessary to detain the House further, but he had felt it to be due to himself to express his sentiments on the occasion as he had done.

Colonel *Evans* said, that he felt highly gratified by the manner in which the motion had been received by the two hon. relatives of the gentleman whose conduct had formed the topic of discussion. At the same time he must say, that it was not exactly for a judicial opinion that he had brought the subject before the House. He should not state the fact, if he said that his conviction enabled him to participate to the full extent in what he observed to be the almost unanimous feeling of the House. He should be false to himself, if he stated, that he thought the case was satisfactorily put at rest, either with reference to the interests of the individual principally concerned, or to the Magistrates generally. He must confess, that he was both disappointed and astonished

at the manner in which the case had been put by the hon. and learned member for Newark. The hon. and learned Member had disappointed him, by having entirely failed to make out a point which he considered essential to be made out. He was astonished at the strong, he would not say arbitrary sentiments, which the hon. and learned Member had expressed. The hon. and learned Member seemed totally to forget, that not only was one of the parties in this case acquitted, but that the Crown brought forward no evidence against him. Yet, in defiance of the acknowledged principles of the English Law, the hon. and learned Gentleman had spoken of the Deacles as if they were convicted criminals. Unless he entirely mistook the hon. and learned Gentleman, he seemed, in portions of his speech, to consider Mr. and Mrs. Deacle to be still guilty, though those who had to prosecute them had not found sufficient evidence against them to bring them to trial. He was sorry, that the hon. and learned Member had thought it necessary to become the calumniator of these unfortunate individuals, whether guilty or not, whilst the hon. and learned Member had left altogether untouched the important part of the statement which he had submitted to the House. The hon. and learned Gentleman had said not a word with respect to the Crown not having prosecuted for perjury the witnesses who had sworn the several depositions. That was a most important point. The hon. and learned Gentleman had likewise omitted to give any explanation of the fact, that the securities of the persons who had given evidence before the Grand Jury, but refused to come forward at the trial, were not proceeded against, which he believed was the usual course. He had felt it due to himself to say, that he could not fully concur with the feeling expressed by the House, but he would not press the motion to a division.

Motion negatived.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—SEVENTH DAY.] On the Motion of Lord J. Russell, the Order of the Day for the House resolving itself into a Committee on the Reform Bill was read, and the House resolved itself into a Committee.

The *Chairman* said, that the question before the Committee was, that Downton stand part of schedule A.

Lord *J. Russell* said, that the borough of Downton was not included within the last Bill; neither did it come within the rule applicable to boroughs which did not possess a population of 2,000; because its population, according to the census of 1821, was 3,100, though, by the same authority, it appeared to possess only nine houses paying a yearly rent of 10*l.* The House was now in possession of later information respecting the number of 10*l.* houses in the borough. In answer to a question from the Home-office, the Overseers had replied, that the borough might contain about 108 houses rented at 10*l.* The officer who had furnished information respecting this borough, for the recent population returns, had calculated the number of 10*l.* houses at about 150. The number of these houses might be taken at about 100, or very little more. It then became a question, how the number of 300 electors, renting houses rated at 10*l.* each was to be made up. The surrounding district was composed principally of Downs; and it would be necessary to proceed to a considerable distance, in order to obtain the requisite number of constituents. It would, indeed, be impossible to complete the number without proceeding to Fordingbridge, a town which contained a considerable number of inhabitants; but, in that case, Downton would merely have a share in the election of Fordingbridge, instead of Fordingbridge having a share in the election of Downton. On the whole, therefore, Ministers had thought it best to submit to the Committee, whether Downton ought not to be wholly disfranchised. At the same time, he must fairly confess, that the disfranchisement of Downton formed no part of the original Bill; that it did not come within the line which he had laid down relative to the amount of population; and that it was certainly in the discretion of the Committee to say, whether Ministers had acted properly or not in placing it in schedule A. The same observations applied closely to the borough of St. Germain's.

Mr. *Croker* said, that he had all along stated his opinion, that the line relative to a population of 2,000 would not be found satisfactory in all cases. The noble Lord had, on the present occasion, said something with respect to the number of electoral houses in the borough of Downton; but in the speech with which the noble Lord introduced the Bill, he said,

that the test of disfranchisement should be—not the number of houses, but the amount of population. By that principle he must entreat the Committee to judge of Downton. In justice to the boroughs which were to be disfranchised, and to the electors whose rights were to be confiscated, he demanded, that the severe and stringent rule which the noble Lord had himself laid down should be impartially acted upon. With respect to population, the case of Downton was so strong, that it might almost claim to be taken out of both schedules. In 1821, the population was 3,114. The noble Lord said, that the number of electoral houses in the borough at that period was only nine. On that point, he was misinformed. The number of electoral houses was then thirty-eight, which exceeded in number the houses rated at 10*l.* in seven of the boroughs which were contained in schedule B. Therefore, upon the noble Lord's own showing, it appeared, that the borough of Downton had a greater population than fourteen or fifteen of the preserved boroughs, and a greater number of electoral houses than seven preserved boroughs, and yet, for no reason that he knew of, the noble Lord proposed to disfranchise it. The noble Lord admitted that, at the present moment, the borough contained 100 10*l.* houses. If that were the case, it ought to stand very high on the list of preserved boroughs. Out of the forty-seven boroughs contained in schedule B, thirty-three had less than 150 electoral houses each. Out of the boroughs which were to be retained, eighty-four had not 300 electoral houses each; therefore, if the Bill should pass, there would exist eighty-four boroughs requiring out-voters. They would come fresh from the hands of their maker, with an imperfection in their constituency. The noble Lord said, that he would not retain Downton, because it would be necessary to proceed to a considerable distance to make up the amount of constituency; but in the case of Morpeth he was told, that the noble Lord had proceeded fifteen miles for this purpose. He had stated facts, and they appeared to him so strong, that the noble Lord was bound to give some additional explanation on the subject. The noble Lord seemed satisfied that facts were against him, and seemed to throw the matter on the discretion of the House. He would accept the noble

Lord's proposition, and therefore should propose, that Downton should continue as it was left by the noble Lord's first and better resolution. He should, therefore, move as an amendment, that the borough of Downton be excluded from schedule A.

Lord *J. Russell* observed, that he had made the statement on which the right hon. Gentleman founded his amendment, and he said at the time, that the only difficulty was in making up the constituency. The Government had felt that difficulty; they had considered all the circumstances, which he had already stated to the House, and they had judged it fit to place the borough in schedule A. This was entirely a case of exception. There were benefits in adhering to rules, and he should certainly vote for continuing this borough in schedule A, but there was no principle of the Bill that would be infringed by moving it into the other schedule, and he was, therefore, willing to leave the matter to the discretion of the House.

Mr. *Croker* wished to add one important fact, which he had before forgotten. It was this, that the returns laid upon the Table yesterday, showed that the population of Downton, not only had not decreased, but had actually increased, from 3,114 to 3,961.

Mr. *O'Connell* said, he could not agree with the noble Lord, that no principle of the Bill would be infringed should the borough of Downton be removed from schedule A. In his opinion, a most important principle of the Bill would be violated, and that was the principle that rotten boroughs should be disfranchised. It was sometimes said by the opponents of the Bill, that its provisions were too sweeping; yet, the right hon. Gentleman had just now shown, with great skill and success, that there were many other boroughs which ought to be disfranchised, and altogether swept away from the list of represented places. No man could deny that this was a rotten borough; no man could deny, that the Earl of Radnor sent Members for that borough into that House. Certainly, as far as that noble Earl was concerned, there was no man to whom such a power could more safely be intrusted; but he objected to intrusting such a power to any Peer whatever; and on principle, therefore, he should support the motion to disfranchise the borough altogether. He repeated, that it was no-

torious the borough was a rotten borough, and that the nominal power of election resided in the inhabitants of twenty thatched cabins. It was not merely the want of a certain number of inhabitants that constituted an offence within the provisions of this Bill; but the want of numbers was an evidence that the borough was, in all probability, a nomination or rotten borough; and the object of this Bill was, to get rid of such boroughs. The case was fully made out against this borough; it was made out, on the candid statement of the noble Earl himself; and he trusted, that all sincere Reformers would rally round the Bill, and give it their support in disfranchising this borough. There could be no doubt that the borough which formed the subject of the present discussion was a rotten borough; and he, at all events, if no one else did, would take the sense of the Committee upon it. The opposers of the disfranchisement were scarcely consistent, for while they were culling for electoral districts—they were driving the country to universal suffrage.

Colonel *Sibthorp* observed, that the hon. member for Kerry, without much knowledge of the borough, and without examining any evidence, at once condemned it to be disfranchised. The words "nomination," and "corruption," were echoed and re-echoed, without the parties who used them knowing what were nomination boroughs. If there was any principle in the Bill, they ought to bear in mind that Downton contained more than 2,000 inhabitants. The noble Lord and his friends dwelt upon numbers; but he, and those who were on his side, dwelt upon justice. Now, he would rather go out in a minority, having justice with him, than vote with the Ministerial phalanx, which seemed to set all justice and reason at defiance. He should vote for the amendment.

Mr. *Bouverie* could take upon himself to declare, that the noble individual under whose patronage the hon. Members were returned, was perfectly ready to abide by the decision of the Committee, whatever that might be. Downton certainly did not come within the principle of the Bill, which said, that all boroughs, containing upwards of 2,000 inhabitants, should not be totally disfranchised; but the great difficulty appeared to be, to find a fit constituency; he would suggest to the noble Lord

the propriety of joining the borough of Downton with that of Wilton, and placing the united boroughs in schedule B. The two boroughs, thus united, might, he conceived, with much propriety, send one Member to that House.

Mr. Croker denied, that he would join with the noble Lord, or with any other person to preserve a rotten borough, with a very narrow constituency. He and his friends were anxious to do just the contrary. They knew Downton was a rotten borough, and they were going to make it a free one. When Lord Radnor offered it up on the altar of his country, he, in fact, made no offering at all, for he had very little interest left in the borough. No attempt was here made to save a rotten borough, but to free it from thralldom. Where, he would ask, was the virtuous indignation of the hon. and learned member for Kerry, when he saw Aldeburgh, in Suffolk, placed at the head of the list in schedule A, while Aldborough, in Yorkshire, was taken from that list, and placed in schedule B? He had no doubt, but that the success of this amendment would make Downton as independent as Westminster. There were in that borough 3,961 inhabitants, and, surely, acting upon the principle of the Bill, it would be most unjust to disfranchise it. His gallant friend (Colonel Sibthorp), had observed, that he would, on this question, willingly go out with a minority, having justice on his side. In his opinion, his gallant friend need feel no apprehension upon that point. He thought, his gallant friend would divide with a triumphant majority, who unquestionably would have justice on their side. For his own part, he should feel very happy to go out, for once, as he thought he was likely to do, in a majority with his Majesty's Ministers.

Mr. O'Connell had not agreed to let off Aldborough, in Yorkshire, for when he had spoken on the principle of the Bill, some of his observations were founded on Aldeborough; but the accusation came with a bad grace from the right hon. Gentleman, who must remember, the time was not yet come for dealing with Aldborough. They must first deal with schedule A, as they found it, and when schedule B was before them, would be the time for talking of transferring the boroughs in it to schedule A. He would support any motion for such a purpose the hon. Gentleman would make.

Mr. Stanley said, that the present case stood upon such special grounds, that if decided against the supporters of the Bill, it would still prove no disappointment to them, for no principle would be violated. It was worthy of the attention of the Committee, that in this case there were no vested rights; they were, therefore, under no necessity of dealing with it so tenderly as with other cases, for there were only seven individuals to be deprived of the franchise, and they had always voted at the beck of a noble Lord, who was now perfectly willing to resign all interest in the borough. The right hon. Gentleman opposite had said, that he desired to make Downton as free as Westminster; but, let him take care, when he came to propose that Calne be added to schedule A, he did not recommend that which would be inconsistent with his present argument. But, not to dwell further upon that topic, he should state in a word or two, the view which the supporters of the measure took of the question: they held, that Downton was in a situation different from all the other boroughs; that it contained a sufficiently large population, if numbers alone were considered, but that it did not contain enough of electoral houses, and that there could not be found in the surrounding districts a sufficient constituency; and it was really no matter of surprise that that difficulty should have been experienced in the heart of Salisbury Plain. They could not get above thirty or forty votes, even if they went into another county. What was the taxation of the place? In 1828, it was 64*l.* on the borough, and 116*l.* on the parish; in 1830, it was 72*l.* upon the borough, and only 110*l.* upon the parish. Without desiring to influence the votes of hon. Members one way or the other, by any considerations, having reference to the general principle of the measure, he wished, as the House would see, to confine himself to what bore upon the justice of the case, considering it apart from all others; and he felt fully persuaded, that enough had been said, to show that the framers of the measure were fully justified in including it in schedule A.

Sir Robert Peel said, that the right hon. Gentleman who had just sat down, put the question upon the fairest possible grounds—it was strictly a judicial question, and nothing could be more satisfactory, than to see his Majesty's Ministers

equally divided upon a question of that nature.

Mr. *Stanley* denied that there was any division amongst his right hon. friends. All he said was, that if the borough were taken out of that schedule, it would still not be violating the principle of the Bill, as *Downton* stood upon special and peculiar grounds.

Sir *Robert Peel* resumed, observing that the parties concerned resigning their interests in the borough was a matter of no importance, for the Bill went to sweep away all such interests. After noticing the number of places in Wiltshire which the Bill would disfranchise, he went on to observe, that the wider the space over which any collection of electoral houses were spread, the more perfect and complete would be the independence of the place, and thus would the objects of the Bill be more effectually fulfilled. Not, of course, that he desired to contribute to that object for itself—nothing could be further from his wish—but he only urged that consideration as calculated to procure for his view of the question the votes of those who supported the principle of the Bill. He confessed he saw no reason upon earth why the inhabitants of Salisbury Plain, not having votes for the county, should not have votes for some town, provided they occupied houses of sufficient value. It was one of the cases in which he thought the principle of the Bill could be most safely and advantageously applied. All the members for Wiltshire would surely support the amendment of his right hon. friend—all likewise would support it who feared the growing influence of the towns, and desired to preserve the agricultural interest from being unduly depressed.

Mr. *Cutlar Ferguson* was convinced it was absolutely necessary to lay down one fixed rule, and as that had been adopted, of excepting all boroughs with more than 2,000 inhabitants, from total disfranchisement, he should vote for transferring this borough to schedule B. He believed, also, in this case, nomination would not prevail, from there being a wide-spread constituency. It was wrong for the Ministry to break through the principle of their Bill for the sake of this borough and St. Germain's. Nothing but principle could have induced Members to vote for the disfranchisement of Appleby, for that was one of the hardest cases that had come before

them. He should have been glad to have saved it, had it contained more than 2,000 inhabitants, as it was the county town of Westmoreland, but as they had adhered to the strict rule in the case of Appleby, they ought to do so in every other. *Downton* appeared a growing borough, and might contain more 10*l.* houses than they had heard of. The vote he should give, in favour of the borough, would be dictated by a regard to the principle of the Bill, and from no predilection for the landed interest. He wished further to remark, that it had been asserted that the 10*l.* franchise approached to universal suffrage, but here they had a proof to the contrary, for out of between 3,000 and 4,000 inhabitants, and 566 inhabited houses, there were only nine rated at 10*l.* per year.

An *Hon. Member* said, he would deliver his sentiments freely, however he might be taunted as “a delegate” seated behind Ministers, and ready to obey their call. When the Minister rose and proposed any measure, he felt that he was left to his own discretion to support or to oppose it; and he would tell the right hon. Baronet opposite, that if he brought forward any motion which, in his opinion, appeared likely to benefit the country, he would give it his feeble aid. Acting independently, he for one would most decidedly vote for the Ministers on this question, because he conceived *Downton* to be a nomination borough.

Sir *R. Peel* said, the hon. Member had entirely misunderstood him. The noble Lord had said, that voting *Downton* out of schedule B would not be trenching on the principle of the Bill, and that, therefore, Ministers would not consider it a defeat if the majority was against them. He trusted also the hon. Gentleman would do him the justice to believe he never taunted any man with voting for Government.

Mr. *Ewart* intended to vote with Ministers in favour of the Bill as it stood, and hoped all real Reformers would be on their guard against the address with which the right hon. Baronet (Sir *R. Peel*) had endeavoured to sow dissension among them.

Mr. *Hughes Hughes* did not feel himself limited by the principle of population. All he wanted to know was, whether or not *Downton* was a nomination borough? and when he found that it was, and did not possess itself, or in its immediate vicinity,

300 voters, who could be made independent, he scrupled not to say, it ought to be disfranchised. It was not easy to reconcile Appleby with the rules laid down, but he had no difficulty in deciding in that case, because that place was notoriously a nomination borough. He called upon all real Reformers to remember, that it appeared that nine houses only possessed the franchise in the borough of Downton. Were they, then, to continue the right of sending Members to Parliament, to a place thus situated, instead of extending it to some wealthy and populous, but unrepresented town? This was evidently a nomination borough, and ought to be disfranchised.

Mr. *Hunt* said, he knew something of this borough, and he could safely say, that it was as rotten a borough as any in schedule A. As to throwing it open and extending its franchise, he was quite convinced that they could not get 300 10*l.* householders, without going a great number of miles; unless, indeed, they pleased to give the franchise to the sheep-cotes in the neighbourhood. The nearest place where voters could be found was Fordingbridge, but that was in another county. Hon. Gentlemen said, they wanted nothing but strict justice, but was it just, that Downton, with nine 10*l.* houses, should send two Members to Parliament, while Christ Church, Surrey, in which he lived, had 1,400 such houses, without returning any Member at all. They had been called on to unite Wilton and Downton. In that case, Lord Pembroke and Lord Radnor might toss up for the privilege of nomination, or they might agree to assume that privilege turn about. He should vote for the disfranchisement of the borough.

Mr. *Henry Lytton Bulwer* approved of the principle laid down by Ministers of preserving one Member to all boroughs whose population exceeded 2,000 inhabitants, and Downton having upwards of the required number, he should vote for the amendment, for a departure from a line so wisely drawn, would tend to dissolve a measure which ought to have all the principles of stability about it. He thought Downton ought to be included in schedule B.

Mr. *Benett* observed, that though Downton was now a nomination borough, it would cease to be so if placed in schedule B. No influence could then be exercised with respect to that borough, be-

yond that fair influence which property always must command. Many mistakes appeared to be made with respect to the localities of the borough. It had been spoken of as being in the midst of Salisbury Plain, but he assured the Committee no part of that Plain came within eight or nine miles of Downton. It had been spoken of as situated in an uninhabited wilderness, but the neighbourhood of Downton was populously inhabited, and was as well cultivated as the open parts of Wiltshire. There were populous villages about it containing an agricultural population of sufficient wealth and respectability to furnish a constituency without going into Hampshire. The borough contained 3,113 inhabitants in 1821; he therefore trusted that justice would be done to Downton, and that it would be removed from schedule A, consistently with the principle of the Bill. They would not have occasion to go beyond six or seven miles from the limits of the borough to make up an adequate constituency, and that being the case, he could not see on what principle of justice they were called on to disfranchise it. He should, therefore, vote for the amendment. He did not act thus because Downton was situated in the county he represented, for he should vote in the same manner if it was in any other county; and he believed the influence of the noble Lord who had been alluded to, would entirely cease in the borough if the agricultural population of the neighbourhood was let in. He begged leave to add, that he considered the general operation of the Bill in the Representation of the county of Wiltshire would be most beneficial. That county had returned thirty-four Members, and of these only eight were persons having any connexion with the county. By the operation of this Bill, the county would return sixteen Members, and he hoped all these would be elected by the free choice of the people of Wiltshire.

The Committee divided, when there appeared—Ayes (for the original question) 274; Noes 244—Majority 30.

Downton was accordingly placed in schedule A.

The next question was, "That the borough of Dunwich stand part of the Clause."

Sir *J. Brydges* congratulated the House on the division that had just taken place. It was honourable to them, and showed that a large proportion of the Members

were not willing hastily to sacrifice without remorse that Constitution which had been many years the envy and admiration of surrounding nations, the division proved there were Members who voted honestly and without considering from what part of the House a proposition came.

Motion agreed to.

The next question was, "That the borough of Eye stand part of schedule A."

Sir *Edward Kerrison* expressed a hope that the House would bear with him whilst he said a few words in his defence, as he might fairly consider himself to be put upon his trial by the question now put from the Chair. He considered, that every Member who represented one of those boroughs which had been called rotten, would not perform his duty if he did not use his best endeavours to rescue his constituents from unjust imputations. It was for this purpose he now addressed them, and he begged leave to assure the House, that, although he had been three several times returned for the borough of Eye he had never given to any man one shilling for his vote, nor had he ever received from any man one shilling for his interest. He would say only one word as to the population, which now amounted to 2,213, as might be seen by returns which had been laid before the House. He was sure there must have been some mistake in the returns of 1821, which made the population at that time amount only to 1,824 persons, or else the population of that place must have decreased 140 between the years 1811 and 1821; and between the years 1821, and 1831, it must have increased by 389. This showed some error, and where there was reason for doubt, it was the bounden duty of the House not to disfranchise the borough without correctly ascertaining the fact. With regard to the principle of the measure, he had from its introduction given it his most decided opposition, and his vote was as independent as that of any Member of the House. He had opposed the measure from duty to his constituents and regard to the welfare of his country, and from a conscientious opinion, that the measure was inimical to the Constitution. He feared if the Bill passed, that the country would be thrown into confusion, and he had no doubt that the people would be anxious for its repeal. He would not then enter further into the question, but only say, that he could not assent to the Motion.

Mr. *Burge* was surprised, that the Committee should decide upon the merits of the question, without any evidence before them of the actual population of the borough. They were depriving individuals of their dearest rights on most unfounded presumptions. He begged to express his own and his constituents' decided opposition to the measure. He was aware, that it would be said, he had interested motives to oppose the Bill, as it would deprive him of his seat, by disfranchising the borough which he represented. He did not give such hon. Gentlemen as supposed him to entertain interested motives in performing his public duty, much credit for charity or justice. He must repel in the strongest possible language, the opinion that he was the Representative of a rotten borough. The persons whom he represented enjoyed their franchise under a very ancient charter; he had been long a resident amongst them, and they had returned him honestly. The only species of influence used was the good feeling which generally subsisted between a resident landlord and his tenantry. He felt no shame in acknowledging, that he owed his return to that source, and would repel the charge of rottenness which had been attempted to be fixed on the borough.

Mr. *Sadler* said, they had a striking exemplification of the blessings of the Constitution as it stood at present, by what had fallen from the hon. Baronet (Sir *Edward Kerrison*) Here was an instance of a man who had for a long series of years fought the battles of his country, and shed his blood in its defence, and as a reward for his hard services, in his later days sent into the House as a legislator. If this measure passed, such honourable rewards would be for ever stopped.

Sir *C. Wetherell* remarked upon the eagerness with which the borough was condemned by Gentlemen who confounded "Aye" with "Eye," immediately when the borough was named. [*No, no*] He was sure he heard it. An objection had been made to the returns of 1831, on the ground that they might have been made up with a view to this Bill, and were, therefore, liable to the suspicion of unfairness. Now that was an objection which he by no means undervalued. But it was at the same time clear, as the returns of 1821 were not made up with any object so important, that there was some chance, nay, a high probability, that they were in

many cases inaccurate, and he was confirmed in that opinion, when he saw, that this borough was shown by the returns of 1831 to have 213 inhabitants beyond the fortunate number of 2,000, and that in 1821 its population was said to be 116 below that number.

Motion agreed to.

The next question was, "that the borough of Fowey stand part of schedule A."

Sir *J. Brydges* rose to move, that the Chairman should report progress, and ask leave to sit again.

Lord *Milton* would ask Gentlemen, whether they thought, that they were, as Representatives of the people, doing justice to their constituents, by refusing to sit longer than three hours upon the consideration of a question which had made so little way, and upon which the minds of the people were so intent.

Sir *J. Brydges* could not alter his opinion in consequence of what had been said by the noble Lord. As to the House having sat only three hours, he had been present since three o'clock, and thought it now time to adjourn. They must do justice to themselves as well as the public.

Sir *R. Peel* did not think, that the hour had arrived at which the Committee ought to be called on to adjourn. If the hon. Baronet, therefore, should think proper to take the sense of the Committee at that moment, he (Sir *R. Peel*) should feel bound to vote against him. He could see no reason why they should not go on, until they should come to a borough upon which a question might arise involving some principle distinct from those already decided.

Sir *J. Brydges* said, that as the opinion of the House seemed to be, that they should go on with the Committee, he would not persevere in his motion.

Lord *Brudenell* said, that the borough of Fowey was situated in two parishes, immediately adjoining each other, the one called Fowey, the other Lancoloss. In 1821, the population of the two parishes amounted to 2,400 persons, and the voters exceeded 300. Now, his Majesty's Ministers had laid down the rule, that where a borough contained more than 2,000 inhabitants, having at the same time more than 300 voters, its franchise should not be interfered with. He was, therefore, utterly at a loss to conceive why this borough was to be disfranchised. If they had determined to act fairly, they would

take into their consideration the case of this borough. He had no hopes in the consideration of Ministers, as they were themselves bound together with their bound and pledged majority. This was proved by the worthy Alderman (Mr. Alderman Thompson) having been called to account by his constituents, and, if they believed what had been stated by the public Press, he had been compelled to apologize. As a further recommendation of Fowey, he would observe, that it had of late much increased in commerce, wealth, and prosperity. If such was proved to be the case, as he had no doubt it could be, Ministers were by no means justified in disfranchising the borough.

Mr. *Severn* read several statements, to show, that the commerce and population of Fowey had of late years much increased, and were increasing. By reference to a memorial forwarded to the noble Lord at the head of the Home Department, it would be seen, that the voters of Fowey exceeded 300, the dwelling houses were 310; that the commercial revenue of the port had increased to a considerable extent, as he would prove. In the year 1819, the receipts amounted to 2,525*l.*; in 1829 to 12,155*l.*; The sum was paid on coasting tonnage inwards in 1819, 11,872*l.*; in 1829, 31,246*l.*; on coasting tonnage outwards, in 1819, 16,306*l.*; in 1829, 51,065*l.*; on import tonnage in 1809, 467*l.*; in 1829, 4,340*l.*; on outward tonnage, in 1809, 736*l.*; in 1829, 3,703*l.* The copper-ore exported amounted, in 1809, to 283 tons; in 1829, 27,446 tons. The quantity of china clay exported was, in 1809, 3,093 tons; in 1829, 15,517 tons. He had mentioned these facts to shew, that his Majesty's Ministers did not practise what they preached, in considering increasing commercial prospects in their measure for disfranchising boroughs. The voters had also increased in the borough equally with its commerce. In 1809 there were but 100, in 1829 they had multiplied to 300; he, therefore, trusted that these facts would be fully considered by the House.

Lord *John Russell* said, after the decision of the House respecting Appleby, he could not understand how the question of admitting adjoining parishes to a borough, to entitle it to continue its Representation, could be again raised. The point had been clearly decided. They had taken, as the basis of those schedules,

the population of 1821, and having adopted the rule, that boroughs having less than 2,000 inhabitants should be disfranchised, it was impossible to make Fowey an exception.

Mr. *Croker* must complain of the noble Lord quoting Appleby against them on every occasion. When they were discussing the merits of schedule A, instead of quoting Appleby, he should take the case of Truro, and point out how that was differently situated from the place now under consideration. Why were parishes added to Truro, to entitle it to be represented, and a similar indulgence withheld from Fowey?

Sir *C. Wetherell* objected to disfranchising Fowey, because it was a trading port. He could not believe, that Calne merited more from the House than Fowey. Its population exceeded 2,325 individuals, and its exports and imports were very considerable. Was it a more inconsiderable place than Tavistock? He did not believe it was to be disfranchised on account of its being a nomination or rotten borough. They were told, that the two parishes were divided by a river, and the population, so cut off, was not considered as belonging to the place. Fowey was therefore treated unlike any other borough. It was a place of commerce—the shipping it employed, and the customs it paid, were of considerable importance; and yet it was to lose its privileges, because a river ran through the place, part of the borough being on one side, and part on the other. It was an absurd and arbitrary rule, that on account of the ecclesiastical division of a place, it was to lose its right of returning Members to Parliament. He understood the principle laid down to be, that unless the ecclesiastical boundary and the place itself were co-extensive, it was to lose this privilege. The case of Fowey was stronger than Appleby, because they were disfranchising a thriving and commercial town, and depriving it of its Representatives, on the ridiculous pretence that part of its population was on another side of the river, and in a distinct parish.

Mr. *Davies Gilbert* said, he possessed some local knowledge of Truro, which borough, it was alleged, was under similar circumstances with the one now under consideration. Such was not the case—Truro alone contained a population amply sufficient to entitle it to be represented, according to the principle laid

down. Truro stood in a peninsula—in a small parish called St. Mary, but it had extended itself into the adjacent parishes of Kenwyn and St. Clement's on either side. Each of these suburbs equalled the ancient town, and the whole was now completely blended together, and formed one place, and was subjected to the jurisdiction of the Corporation Magistrates by an Act of Parliament, passed forty years since. The situation of Fowey was quite different—it occupied one bank of a wide and deep river, in a parish of the same name, and with a population short of the prescribed number—on the opposite side of the river stood Tolmar, a small village in the parish of Forteglass. This village participated with Fowey in the elective franchise, and must be added to that town and parish: but agreeable to the determination of the Committee in former instances, the population of Forteglass, beyond the limits of Tolmar, could not be taken in aid, and without that aid the town and parish of Fowey and Tolmar could not produce the prescribed number of inhabitants. The cases of Fowey and Truro, therefore, were, not similar—but he wished, notwithstanding, that a Representative should be bestowed on the town of Fowey.

Sir *H. Hardinge* protested against the rule which Ministers laid down for their guidance in disfranchising those boroughs, and said, that when they came to schedule B, he should take the sense of the House on the rule, and advocate the interests of another borough, which contained a population exceeding 4,000, but which was situated in several parishes, and, therefore, would be excluded from Representation, because it was not all in one parish. This was legislating upon names, and not upon things.

Mr. *Sadler* said, that the Ministers had included the parish of St. Michael's in Malton, and had excluded the parish of St. Michael's from Appleby. He was, therefore, happy to hear that the hon. and learned member for Boroughbridge intended again to bring the case of the latter before the House. They had acted inconsistently with Fowey; the electors on the opposite side of the river had been excluded, whilst, by this very Bill, in other instances, the contrary had been the case. They had added to the number of electors, instead of taking away a portion of them.

Mr. *Praed* said, so much had been proved as to the situation of Fowey, that

if the hon. Members for that place conceived they had grounds for taking the sense of the House, he would most certainly support them, that the circumstances might be fully inquired into. The noble Lord had yesterday admitted to him, that if a borough could be found whose population in 1821 was above 2,000, and had since diminished to below that number, he would consider it a fair case for disfranchisement, and if decrease of population was to have that effect, surely increase ought to have the contrary. There was this remarkable difference between Fowey, which Ministers proposed to wholly disfranchise, and Calne, which they permitted to retain its Representatives—that the former was admitted on all hands to be daily increasing in commercial importance, while the latter was stated in the population returns to be, for the last twenty years, decaying in its manufactures and trade.

An *Hon. Member* begged leave to remark, that they had added a town to the city of Rochester, which could have no connexion whatever with it.

Mr. Croker said, he wished to ask the noble Lord a question relating to Truro. That town was situated in the parish of St. Mary Overy, which did not contain a sufficient population to entitle it to Representation. Part of the town, however, overflowed into two other parishes, by including which the population was so far increased, that the town was to retain its full Representation by two Members. It was not stated in the Returns what the separate population of each of these parishes was, but because the town stretched into both, the population of the two parishes was added to the town of Truro, and the consequence was, that Truro had been taken out of both schedules, and was to continue to return two Members, while Fowey was to be disfranchised, though the parishes which ought to be included were actually and truly a part of the borough. He wished his hon. friend would state where he was to find an account of that part of the population of Truro which was contained in any one of the parishes; because, if he could, then it would be necessary to specify that part of the population of Fowey which laid on opposite sides of the river. In the case of Truro, the parish was added, while in Fowey it was excluded.

Mr. Davies Gilbert had acquired his in-

formation relating to Truro, from his long acquaintance with the town, and the fact was, the three divisions of the town added together, contained a sufficient population to entitle it to return Members, without taking into consideration the extraneous population of the parishes. The hamlet on the opposite side of the river on which Fowey stood, did not contain 100 inhabitants. He had simply stated these facts, and would repeat, that he wished Fowey to retain a representative.

Lord J. Russell said, he would merely observe, that it was difficult in many cases to divide the borough and parish, therefore they had taken them, in such cases, together, and allowed the borough to have the benefit of the augmentation. But in other cases it happened, that the borough extended into several parishes. It would then be an abuse, where a borough had one or two acres of land in four or five parishes, that they should add the whole of the population of those parishes to the borough. But their principle was, in this case, if the town itself contained more than 2,000 inhabitants, then it was not to be disfranchised. That was the case with Truro; the parishes were not added, but the most respectable testimony that proved the town itself contained upwards of 4,000 inhabitants; it was, therefore a fair case of exception, and this rule which Ministers had laid down could not admit of an exception in the case of Fowey, the population of which was but 1,400, and, with the addition of the hamlet on the other side of the water, did not make up the prescribed number of 2,000. He regretted this on account of the trade and commerce of the place; but it bore no resemblance to Truro.

Mr. Attwood said, that he had understood the noble Lord to say, that where a borough extended into several parishes, such parishes were not included. He allowed that in Fowey there was a small hamlet. Now, that was an essential part of the borough. It had not been asserted, that Fowey was a nomination borough; it could not, therefore, be destroyed on that account; this was important, for Malton was a nomination borough. Fowey was situated in two parishes, but took its name from one; and it was excluded, because the name did not extend into the other parish. If this rule was applied here, it ought also to be applied to all other cases.

Mr. Croker said, his hon. friend (*Mr.*

Davies Gilbert) was supporting his arguments by a personal view of the case, instead of confining himself to the papers before the House. He further wished to observe, that the parish adjacent to Fowey was not very extensive, for it contained but 972 inhabitants, and it was considered as attached to Fowey, because, in the population returns, the words "by Fowey" were added. It bore a close resemblance to the case of Truro, and he would, therefore, reserve to himself the opportunity of bringing the case again forward.

The question "that the borough of Fowey stand part of schedule A" was then put and carried.

On the question "that the borough of Gatton stand part of schedule A,"

Mr. *H. I. Hope* said, from what had already passed, it would be useless for him to stand forward as the champion of the borough of Gatton; but it having been long the object of his ambition and wishes to represent that place in Parliament, he could not refrain from expressing his great regret at its disfranchisement, and his earnest hope, that, under the new Constitution which was to be bestowed upon them, the country might enjoy as much happiness and prosperity as it had experienced under the old system, when Gatton and Old Sarum were in existence.

An *Hon. Member* thought Gatton stood in a respectable situation; and he must express his surprise, that Ministers should think themselves competent to unravel in a few months, the mysteries of that Constitution which had puzzled the heads of the wisest and greatest statesmen; and their principle was most unconstitutional.

The motion agreed to.

It was next agreed, that Haslemere should stand part of schedule A; after which, the House resumed—to sit again the next day.

COAL DUTIES' ABOLITION BILL.]

Lord Althorp moved the third reading of the Coal Duties' Bill.

Mr. *Goulburn* must once more state to the noble Lord, that the removal of the duty on slates would materially affect the tile-makers, and no beneficial result would arise from the course he had adopted. The duties on slates and on tiles were imposed at the same time, to place the two descriptions of articles on a fair and equitable principle; which would be violated if the repeal of one set of duties, before the

other, took place. He had heard, that, at some future period, it was proposed to remit the duty on tiles; but if it was delayed even for a few months, the trade would be so depressed, that it would be impossible to restore it to its former state. This was not a question of revenue; for he could declare, from his own knowledge, that the trade in tiles, in consequence of the alteration of the duties on slates, had decreased already one half; and if the duties remained, the manufacturers would be very considerably distressed. He hoped the question would be fully considered, when the Excise acts came before the House.

Mr. *Slaney* fully agreed with the right hon. Gentleman (Mr. *Goulburn*). In several districts with which he was connected, tiles were made in great quantities; and he was fully satisfied, it would be impossible for the tile-makers to compete with the slate-makers, while the duty pressed so heavily upon them. He, therefore, earnestly pressed this subject upon the consideration of the noble Lord, to make some arrangement to place tiles and slates upon an equal footing.

Mr. *Hume* was also of opinion, that, unless the tile-duty was repealed, the capital at present employed in the manufacture would be utterly lost, and many hundred persons reduced to great distress, who now supported themselves in this branch of manufacture. He had a petition to present from these individuals, but had yet had no opportunity of submitting it to the House. He hoped the Bill would not pass at the present moment, as he felt strongly for those men, and should certainly renew the subject in a more full House.

Mr. Alderman *Thompson* concurred with all which the hon. Gentlemen had said, and hoped this appeal would not be addressed to the noble Lord in vain.

Mr. *Gordon* begged to remind hon. Gentlemen, that the brick-makers had made similar complaints when the alteration was made in the stone-duties.

Mr. Alderman *Thompson*—That was a hard case upon them; and it cannot be denied, that a great hardship is entailed upon the tile-makers by the present measure.

Bill read a third time and passed.

HOUSE OF LORDS,

Friday, July 22, 1831.

CHURCH-BUILDING ACT AMEND-
II

MENT BILL.] The Bishop of *Ferns* presented a petition from fifteen townships in the dioceses of *Ferns* and *Leighlin*, signed by 500 Protestants, praying, that the Bishop might be empowered to allow of the erection of district churches within their bounds. The right reverend Prelate stated, that the churches were much wanted for the accommodation of the people of these townships, and that he was well disposed to accede to the wishes of the petitioners, but was prevented by a provision in the late Act of Parliament, which provided for the building of new churches. By that Act, the places attached to a district church must be in the same diocese; in this instance, some of the townships were in the diocese of *Ferns*, and some in that of *Leighlin*. The consequence was, that although he himself had the two dioceses, he could not comply with the request of the petitioners; and he had, therefore, a Bill in his hand, to amend the Church-building Act, so as to put it in his power to gratify the wishes of the petitioners.

The Bill laid on the Table, and read a first time.

HOUSE OF COMMONS.

Friday, July 22, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. HUNT, the average Price of Corn per Quarter, for England and Wales, for the Year ending December, 1830:—On the Motion of Mr. SPRING RICE, the quantity of Foreign Wheat entered Weekly for Home Consumption, with the rate of Duty paid thereon, in each Week in the Year 1831, shewing the total quantity entered, and the total amount of Duty; of the quantity of Foreign Wheat imported in each Quarter, from the passing of 9 George 4th, Cap. 60, to the latest period to which the same can be made up; of the amount of Duty received, and the average Rate paid in each Quarter:—On the Motion of Mr. HUME, the names of Commissioners now officiating for the Issue of Exchequer Bills for Public Works in England, stating their Salaries, and the amount of Exchequer Bills issued, the amount outstanding, and not repaid, and accounts of the Annual Expense of the said Commission.

Petitions presented. By Sir W. FOULKES, from the Members of the Norfolk Agricultural Association, against the use of Molasses in Breweries and Distilleries. By Mr. HUNT, from the Inhabitant Electors of Preston, for Election by Ballot. By Sir R. MUSGRAVE, from the Roman Catholic Inhabitants of Lismore, for the Repeal of the Vestry Act; and another from the same parties, praying for the Abolition of Slavery. By Sir H. PARNELL, from the Inhabitants of Maryborough, against any further Grant to the Kildare Street Society. By Mr. JOHN ABEL SMITH, from the Clergy, Gentry, and Parish Officers of the Western Part of Sussex, near Arundel, against certain parts of the Sale of Beer Act:—By Mr. ASHFORD SANFORD, Petitions to the same effect, from Householdors of Yeovil and Martock, Somersetshire; and from the Inhabitants of Wanscombe, for commuting the Punishment of Death for Offences against Property. By Lord MILTON, from the Protestant Freemen, and Freeholders of Menlough (Galway), to extend the Elective Franchise to Catholics.

By Lord MILTON, from General Thornton, praying, that some alteration may be made in the Oaths to be taken by the King against Transubstantiation.

BLASPHEMOUS PUBLICATIONS—CASE OF ROBERT TAYLOR.] Sir Francis Burdett presented a Petition from Julian Hibbert, praying the House to address his Majesty to grant his gracious pardon to Robert Taylor, now imprisoned for having preached a sermon in his own chapel, explanatory of that allegorical interpretation of the Scriptures, which he believed to be the truth.

Mr. Denison, as one of the visiting Magistrates of the prison, felt obliged to the hon. Baronet, for giving him an opportunity of removing the charge of cruelty to Mr. Taylor, which had been brought against the Magistrates by that gentleman in whose favour this petition was presented. Mr. Taylor having been found by a Jury guilty of a misdemeanour, was sentenced to imprisonment in Horse-monger-lane gaol. With permission of the House he would state what requests Mr. Taylor had made since his conviction. They were three in number. First, that he might be excused from attending Divine Worship in the chapel where the other prisoners attended: secondly, that he might be allowed, without any inspection, an unlimited correspondence; and thirdly, that he might have better diet than that which the other prisoners had. There were certain regulations in the gaol, which the House would agree with him (Mr. Denison), ought not to be departed from, and, consequently, so far as these requests interfered with that arrangement, the visiting Magistrates were justified in refusing them. Mr. Taylor had thought fit to complain of the apartment in which he was confined, but no good ground for that complaint existed, inasmuch as it was one in which there was a free current of air; it had a fire-place and glazed windows, and its dimensions were eighteen feet by twenty-four. There was a corridor which led to it, in which he might take walking exercise. With respect to the complaint made against the food which was given him, there was no more cause for the complaint than as to the apartment. He wished every poor man in the kingdom had as good food and as much of it. Mr. Taylor had, in common with other prisoners, roast beef, pork, peas, and potatoes; and as much as in moderation was sufficient. He might have small beer or ale to his

dinner; but neither spirits nor wine was allowed by the regulations which prevailed in the prison. The room in which he was confined was comfortably furnished, having in it a sofa-bed, chairs, and a chest of drawers. He had also fire and candles allowed. He was permitted to see his friends four hours a day, from eleven to three o'clock; but there was a screen between them, which kept them about three feet apart. This screen had been placed there a long time, for the sake of security, to prevent too close a communication with the prisoners and the friends who visited them. And as to the correspondence, there was, of course, obliged to be some limit put to that. Mr. Taylor had permission to read books of philosophy, historical writings, travels, classics, poetry, or any books of belles-letters, with newspapers, if he chose to have them; but he was not allowed to have some of the publications which he was desirous of obtaining. Among works of this nature, he (Mr. Denison) saw in his room a publication of which he had never even heard the existence, until he saw it there, intitled "*The Devil's Pulpit.*" It was published in numbers, and the House, he was sure, would concur with him in opinion, that it was proper to prevent such works from being received in a prison. The writings of Volney or Gibbon, besides the books which he had enumerated, Mr. Taylor had full permission to peruse; but on the publications to which he had just alluded the visiting Magistrates had very properly laid an interdict, conceiving, that it was very wrong to allow them to be received within the walls of that prison. He certainly entertained doubts whether it was prudent to prosecute a man who had conducted himself as the person about whom he was now addressing the House had done. He doubted whether any beneficial result flowed from convictions arising out of blasphemous attacks on Christianity, inasmuch as, by such a course of proceeding, the iniquitous doctrines which it was the object of the prosecution to check were too often more disseminated; and a man was declared a martyr, who was fitter for another place rather than a prison; but he had no doubt, that a person who was, under the laws, sentenced to confinement, ought to be made to conform to prison regulations. Mr. Taylor had been made to do so, and that was the ground of all his complaints.

Mr. *Briscoe* said, being one of the

visiting Magistrates of the prison, he was anxious to address a few observations to the House. He was aware, that the subject had excited a good deal of public attention, it having been noticed in the newspapers, and various remarks had been made upon it. The cause of complaint which had been urged by Mr. Taylor might be resolved into two points—viz., as to his correspondence, and to the visits of his friends. The sentence, the House would bear in mind, was imprisonment, and imprisonment only; and the crime of which he was convicted was a misdemeanour. Under these circumstances, there ought to be, towards any individual so convicted, no severity. As had just been observed, the punishment was imprisonment only. With respect to the first complaint—as to an unlimited correspondence—that, he thought, could not be tolerated, lest the doctrines which it was the object of the prosecution to check should be promulgated. For his own part, he had always considered the rules and regulations of Horse-monger-lane prison too strict, and had endeavoured, but without effect, to have some alteration made in them. The Magistrates had received a letter from the Secretary of State for the Home Department, directing their attention to Mr. Taylor's case. Greater indulgences had been shown to him than to other prisoners, and this had given cause of complaint to the other prisoners. It was unwise to make distinctions in the treatment of prisoners generally, but, in this case, Mr. Taylor had received the education of a gentleman, and had been accustomed to live in a different manner from the ordinary run of prisoners. He did not mean to say additional indulgences ought to be granted him on that account, but that the ordinary regulations of the prison should be less severe in their application to him than to other prisoners. It was but just to Mr. Taylor, to say, that what had been stated in the newspapers of his conduct at chapel was untrue. He did not say "gammon" where the response was "Amen." Mr. Taylor appeared to labour under nervous excitement. He seemed unwilling to give trouble to those about him; and receiving a remonstrance from him as a visiting Magistrate, he had erased the sentence placed over the door of his cell, stating, that the Christian religion was the greatest curse that ever befel the human race.

Mr. *Trevor* thought it right, that the prisoner should be prevented from employing the liberty of correspondence as the means of circulating his opinions. It was of importance that the prison regulations should be strictly enforced in such cases, at the same time that every indulgence consistent with the prisoner's situation should be allowed.

Mr. *Hunt* was glad the case had been brought forward by the two Members for the county. When he was imprisoned he made complaints, and they were represented as false and groundless in that House by the Members for the county. The matter was afterwards sent before a Committee, and those complaints, which both Members and Magistrates said were false, were completely substantiated. It was going beyond the law, to prevent a man, who was confined only for a misdemeanour, from corresponding. What was worse, the law was unequal. Mr. *Carlile* was imprisoned not far off for a similar offence, and he was allowed to correspond freely, and to see his friends in his room. Nothing could justify such restriction of correspondence, but an apprehension that it was intended to employ it as a means of escape. He knew from experience, that the information of gaolers and turnkeys was the last thing in the world that should be relied upon. Mr. *Taylor*, he believed, advocated very Utopian doctrines, but the course pursued towards him would only have the effect of giving him the merit of martyrdom in the eyes of many people. He knew nothing of him or his doctrines, having never seen him but once, at a public meeting. The public mention of those publications, and the frequent mention of them, only aggravated the evil. In consequence of the notice taken the other night by the member for Dundalk (Mr. *Gordon*) of *The Poor Man's Guardian*, the sale of it had increased from 3,000 to 11,000 per week, and the editor would have to thank the hon. member for Dundalk for quadrupling the sale of his publication.

Mr. *James E. Gordon* was sorry to see in the House something like indulgent feelings towards Mr. *Taylor*, very different from those evinced towards other persons. He was intitled to no indulgence. He was convicted of blasphemy. It was an ominous symptom to see him meet with more indulgence than others. He must attribute it to that power he possessed of wielding

the Press. His superior education and station in life ought to be rather a cause for a more rigid enforcement of the law than for indulgence. No man had done more to disseminate moral and physical evil. The increased circulation to which the member for Preston alluded, was not to be attributed to him (Mr. *Gordon*), for he had only done his duty in bringing it under the notice of the House. It was owing to the relaxation of the law, to the neglect of those whose duty it was to put down such publications. In one of them the Royal Family was spoken of as the curse of the country, and the member for Preston himself, after coming forward in this House and calling *The Poor Man's Guardian* seditious trash, had since written to the authors of the work, praising and encouraging their publication. ["No," from Mr. *Hunt*.]—Do you deny it?

Mr. *Hunt*.—I do.

Mr. *Gordon*, after a pause, and pulling out a bundle of papers—"Do you still deny it?"—he could produce the letter.

The *Speaker* informed the hon. Member, that he was out of order in addressing any hon. Member personally.

Mr. *Gordon* said, he was not aware that he had been out of order in putting the question to the member for Preston, knowing, that he addressed a letter to the writers of this trash, applauding them for having written it, and recommending them to continue their publication.

Mr. *Lamb* said, he had before expressed his opinion of these debates, to which the member for Dundalk seemed so very partial. The question was, whether the gaol regulations were to be carried into effect against this individual or not? They had been already very considerably relaxed with respect to him, and he hoped his future conduct would prove him worthy of such relaxation.

Mr. *O'Connell* said, the member for Dundalk charged the House with indulgence towards the prisoner. Now the complaint was, that Mr. *Taylor* had been convicted for a misdemeanour, and that his punishment in prison was more severe than that usually inflicted in such cases. He complained, that he was not allowed liberty of correspondence, while *Carlile*, as great a blasphemer as he, laid under no such restriction. If Magistrates were to make prison regulations, they ought to be uniform. The true spirit of Christianity did not show itself in chains and gaols, but

in charity to all mankind, whatever might be their opinions. Persecution might make hypocrites, but it never yet made converts. No person would suspect him of being friendly to the opinions of this man, or to his publications; but prosecutions only gave an importance to this miserable trash which it could not otherwise obtain. The Christian religion might rest securely on its own basis. It was not Christianity to trample even on the victims of just punishment.

An *Hon. Member* was of opinion, that all prosecutions for blasphemy were both injurious and impolitic.

Sir *F. Burdett* said, Mr. Taylor's opinions had nothing to do with the question, which was, whether or not he was harshly treated? Some relaxation was ordered from high authority, and that was proof that he had been harshly treated. Why should he be restricted from seeing his friends? Magistrates and keepers of prisons had no right to inflict those hardships, and the imposition of such restrictions was altogether illegal. Mr. Taylor ought not to have them inflicted on him, however offensive his opinions might be.

Mr. *Denison* said, the Magistrates refused Mr. Taylor the power of correspondence, without sending his letters open, from the dread entertained by them of his introducing his doctrines among the prisoners. His hon. colleague and he were but two out of a Committee of twelve Magistrates who had the superintendence of the prison, and they had done all in their power to alleviate the confinement of Mr. Taylor, as well as every other prisoner, but they were sometimes in a minority.

Mr. *Briscoe* wished it to be understood, that he had distinctly said, no indulgence was to be shown to Mr. Taylor on account of the offence for which he was imprisoned, but what had been done was upon public principles, and he wished every one imprisoned for similar offences should be treated in the same way. He knew nothing of the individual, his trial, or conviction, except that he knew Mr. Taylor had been convicted of a misdemeanour, but he thought he ought not to suffer greater severity than other persons confined in other gaols did for the like offences.

Mr. *James E. Gordon* had never charged the hon. Member with having given facilities to the prisoner to distribute his mischievous publications, but he thought improper indulgences were given to him,

which were denied to others, particularly as to seeing his friends.

Petition laid on the Table.

CORN-LAWS.] Lord *Milton* presented a Petition from the inhabitants of the county of Gloucester, praying for a gradual and total Repeal of the Corn-laws. He thought the request of the petitioners moderate and reasonable, although they somewhat exaggerated, in his opinion, the evil effects of those laws, which were undoubtedly a heavy tax on the most numerous classes of the community, and, therefore, the sooner they were removed the better. The petitioners stated, that they could no longer be deluded by the sophistry and false arguments of those who desired to continue a tax upon corn, however small; and they, therefore, prayed, that the whole tax might be gradually repealed, by a reduction of one-sixth of the duty annually, until the whole was remitted. He concurred with the views of the petitioners, but at present he would not enter further into the discussion than to take the opportunity of stating, that if he occupied a seat in another Parliament, he should unquestionably bring the subject forward.

Mr. *James* observed, that whenever such motion was brought forward, he should be happy to second it.

Mr. *Hunt* also supported the prayer of the petition, for he entertained a positive opinion that the Corn-laws were the cause of great evil. He agreed with the noble Lord that the petitioners had taken an exaggerated view of these evils. The real mischief amounted, probably, to one-third of their estimate. He had given notice of a motion for the repeal of those laws, and as it was probable he might not again have a seat in that House, he hoped to have an opportunity of bringing the subject forward during the present Session.

Lord *Francis Osborne* felt somewhat surprised, that hon. Gentlemen were inclined to support a petition, which even the hon. member for Preston acknowledged contained grossly exaggerated statements of the evils of the Corn-laws. He believed, that whenever these laws were brought under their consideration, there would be no difficulty in proving, that unless protection was afforded to the agriculturists, corn could not be grown in this country, and if these laws were entirely removed, we must depend on foreign countries for our supply of wheat.

The Marquis of *Chandos* said, that when it was admitted by the hon. member for *Preston*, that the statements in the petition were grossly exaggerated, it could not merit much consideration from the House. He fully concurred with the noble Lord who had last spoken, in the opinion, that if it was desirable corn should be grown at all in this country, it was necessary to continue some protecting duty.

Mr. *Ramsden* rose to advert to a different subject from the Corn-laws. It might be in the recollection of hon. Gentlemen, that the hon. Member who called himself the Representative of the people, had presented a petition, purporting to come from *Huddersfield*, praying for Universal Suffrage, Annual Parliaments, and Vote by Ballot. He had not been present when that petition had been presented, but he had since received undoubted information from that place, that no such petition had been heard of there, and if it really emanated from *Huddersfield*, it had not the real signature of a single respectable inhabitant attached to it. He had, therefore, taken an opportunity of examining the petition, and found, that in many parts of it whole strings of names were signed in the hand-writing of the same individual, and he should be ready to prove, that many of the signatures were not the *bonâ fide* hand-writing of those whose names were attached to it. It would become the hon. Member to examine petitions before he presented them, to ascertain if they were worthy of the attention of the House, or fit to be received.

Lord *Milton* moved the petition should be printed, and said, the noble Lord, the member for *Cambridgeshire*, had dealt rather hardly with it, for the statements it contained rather proceeded from miscalculation than wilful exaggeration. The noble Lord had stated, that if the tax were removed, corn could not be grown in this country, and consequently, we must depend on foreign countries for supplies. But was he aware how much we already obtained from other countries? did he know, that according to the returns, no less than 2,000,000 quarters of foreign corn were imported into England last year? This fact must be quite sufficient to convince the noble Lord, that if protection was necessary to the agriculturists of this country, the existing laws did not afford it.

Mr. *Hunt* thought, if the petitioners had made an erroneous calculation, that was

no reason why their petition should not be supported. He begged leave to reply to the hon. Gentleman (Mr. *Ramsden*) who had taken occasion to denounce a petition which he had presented from *Huddersfield* on Monday last. That petition was numerous signed, and was agreed to at a public meeting held in the town, as he had been informed, and he had no doubt the parties who signed it were as respectable as any of the constituents of the hon. Gentleman. Probably they did not occupy so high a station in life as some others, but they earned their living as honestly as any men in *Yorkshire*. With respect to the manner in which the petition had been signed, he believed it was not unusual for persons busily employed to get others to sign for them. In the present instance, many of the individuals who wished to have their names attached to it were unable to write themselves, and, consequently, employed others to sign for them. He had read the whole of the petition, and had no scruple in saying, that those who had signed it were as honest and worthy of consideration as any petitioners who approached that House.

Mr. *Ramsden* said, then the hon. Member justified forgery, because he had a list of individuals, whose names were said to be attached to this petition, who declared they had never signed it.

Mr. *Portman* put it to the House, whether a petition, which it was admitted on all hands contained gross exaggeration, should be allowed to be printed.

Lord *Milton* had already said, that if there was exaggeration, it had originated in error, and had not been concocted for the purpose of wilful deception. He thought, therefore, no objection should be raised to its being printed.

Petition to be printed.

PARLIAMENTARY REFORM — BILL FOR ENGLAND — COMMITTEE—EIGHTH DAY.] Lord John Russell moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Poyntz* said, that he had a Petition to present from a place called *Islington*, in the county of *Devon*, which parish was contiguous to, and in some respects might be considered as part of, the borough of *Ashburton*, and certain individuals residing therein had invariably exercised the right of voting at elections for the Mem-

bers of that borough. These persons were the present petitioners, and they prayed, that the parish of Islington might be annexed to Ashburton, and with it continue to return two Members to Parliament. When that borough came under the consideration of the House, he felt confident, that he should be able to make out a strong case in its behalf.

The petition referred to the Committee. Speaker left the Chair,

Mr. Bernal moved, "that the borough of Hedon be included in schedule A."

Mr. Farrand rose and said, that Hedon had never been a corrupt or nomination borough. At the contested election in 1826, 331 electors were polled. It could not be deemed an inconsiderable place, for it was surrounded by a rich and populous neighbourhood. As he knew, however, that it would be altogether useless to offer any objection to its being included amongst the disfranchised boroughs, owing to the population being under the limits assigned by the noble Lord, he should not oppose the motion. It had been his intention to move, that the borough of Hedon should be transferred from schedule A to schedule B: he had given up this intention; but at some future stage of the Bill he should call the attention of the House to the case of the district of Holderness, which formed a separate jurisdiction of its own, and which he thought, as it contained a population of 27,000 persons, was better entitled to Representation than any of those eighteen boroughs which, with a population altogether not exceeding 80,000, had not less than thirty-six Members. It was also right to state, that the Riding in the county of York in which Hedon was situated, contained a population of 190,000 inhabitants, while the North Riding had only 183,000. If the provisions of the Bill were carried into effect, Beverley alone would be left in the East Riding, while no less than eight Members would be returned for the North Riding. Under such circumstances he should move, at a subsequent opportunity, that Hedon should be taken from schedule A, and placed in schedule B. He knew no reason why its franchise should not be extended to the surrounding district, which contained 27,000 inhabitants.

Mr. Strickland was of opinion, that Yorkshire, and in particular the East Riding, would not be adequately Repre-

sented under the Reform Bill; and it had been his intention to move, that each Riding should have four Members. He had, however, refrained from doing so, because he was reluctant to do anything that might embarrass the progress of the Bill. According to its provisions, there would be only two members for the East Riding, besides those for Beverley; and the freeholders would have only a vote for two county Members instead of four. The East Riding was as large as two or three counties, and yet it would thus only have four Members. Take, for example, Northampton, which, like the East Riding, was an agricultural district. It had only 162,000 inhabitants, yet it was to have four county, and it had four borough Members. Yorkshire would have fewer Representatives than Durham, which had received several additional Members. It would have ten Members, while Yorkshire was to have only two additional; and were it to have as many in proportion as Durham, it would have sixty. He complained that the principle of giving two Representatives to counties of 150,000 people had not been adhered to; if it had, he should not have put in any claim for the East Riding. He considered each county as a Riding, and then Yorkshire would have received six additional Members. He did not wish to see England divided into districts, for the purpose of giving Representatives in proportion to the number of inhabitants; but it was, at the same time, acting unjustly to Yorkshire, not to give it, as it had 1,500,000 inhabitants, more than two additional Representatives. There were seven counties in the south of England which were to receive three Members each; and the whole of them did not contain the number of acres that were in Yorkshire. He hoped that the attention of Ministers, to whom he gave all proper praise, would be again called to the case of Yorkshire, and that then that county would receive four additional Members.

Mr. Ramsden did not agree with his hon. friend on the subject of Yorkshire. His hon. friend, however, had departed from the question before the Committee, by addressing himself exclusively to the Representation of the county of York. The question was, whether the borough of Hedon should stand part of schedule A, and he was of opinion it should, for it was a corrupt, jobbing borough.

Mr. *Sadler* observed, that the statements of the hon. Member opposite abundantly proved, that the principles on which the Reform Bill was professedly founded had been entirely overlooked, so far as the great and populous county of York was affected by it. Even the plan of Cromwell appeared more favourable to the interests of the rural population than that proposed by the present Government, as he had conferred on Yorkshire alone not less than twenty two members, six of whom were apportioned to the towns. It was true he extinguished Hedon, but he also dealt the same measure of justice to Malton. The present Bill would leave Yorkshire worse represented than it actually was according to the system in operation hitherto. No two things could be more different, than the plan of Cromwell, with respect to Representation, and that of his Majesty's Ministers on the present occasion. According to the proposed plan, Yorkshire would not be adequately represented, while other counties, with not a fourth of the population of Yorkshire, would have more than their fair share. Durham, for example, with a population of 207,000 inhabitants, would have twice as many representatives as the West Riding of York, where the population, perhaps, amounted to a million. Again, was it fair to give the same number of Representatives to Cumberland and Lancashire? This unequal mode of distributing the franchise would produce great discontent in the country. If our ancient institutions were to be destroyed, it was necessary to erect on their ruins some measure based on intelligible principles of property or population, but this violated them all. He concurred with the hon. Members, that the rural districts of Yorkshire would be inadequately represented, and he therefore was against the disfranchisement of Hedon.

Sir *C. Wetherell* would wish the noble Lord opposite to explain why a borough, situated in a populous district, should not be dealt with in the same manner as a borough in a parish? He had not heard any reason why the same principle should not apply to both. He would not go into the question of Yorkshire, for he was not a Yorkshireman, except by superinducement as a Member of Parliament; but, looking to the treatment of some boroughs, as compared with others, he would ask, why one law should be applied to one set of boroughs, and another to another set,

though under the same circumstances? Give him up Malton, and he would give up Boroughbridge; but why were Malton, Calne, and Tavistock retained, while others that had as much right to remain were disfranchised? These were questions which the public would ask, and to which it would expect an answer. He would ask, why not add Holderness to Hedon?

Lord *Althorp* said, the hon. and learned gentleman had asked, why not include the population of a district as well as of a parish? Was he serious in that question? In the first place, if they took a district, they should take probably a hundred; but would not the effect of such a plan be to cut up the county Representation? If the inhabitants of hundreds were incorporated with boroughs, there would, according to the principle of this bill, be few electors for counties.

Sir *C. Wetherell* did not mean, that hundreds should be cut up in this way; but boroughs had districts, called liberties round them—why not include these, instead of disfranchising the borough, where they afforded a considerable population?

Mr. *Kenyon* would not delay the Committee at this stage, but felt it necessary to state, that at a future stage he should demand an additional Member for each of the counties of Wales.

Mr. *Sadler* said, his argument went to this only, that the plan of Ministers would lessen the Representation of Yorkshire, which was already inadequately represented.

Mr. *Praed* said, that in the present case Ministers departed from their own principle of giving Representation to population and property. But if they gave it to population, only when collected in large masses, they would exclude extensive agricultural districts.

Mr. *Farrand* said, the hon. member (Mr. Ramsden) had talked of the corruption of the borough of Hedon, but if he stated that there had been any such during his connection with it, he begged to deny it in the strongest language which the custom of Parliament would admit of.

Sir *C. Forbes* said, that a strong case had been made out for Yorkshire, by the hon. member for Aldborough. He agreed with him, that the number of Representatives for that county ought to be increased. As some insinuations had been thrown out against the borough of Beverley, which he had once represented, he must say, he had

been returned most independently by the electors, who were anxious again to offer him their disinterested support, from a conviction that he had discharged his duty honestly as their Representative.

Mr. *Ramsden* said, that Hedon was the property of a gentleman who bought it, and who had sold it many years. This gentleman had written to him, stating that the electors were inclined to be reformers, but the Members for the borough voted against the Bill, and on asking for some explanation of this, he had been told, the electors would be reformers if Hedon was joined to Holderness, but that otherwise they would be against the Bill.

Mr. *Farrand* requested the hon. Member would name any individual who had ever applied to him for any consideration for his vote. He had stood five contested elections for the borough, the third of which he had lost by a majority of ten votes, in consequence of the support he had given to the noble Lord John Russell's motion on the subject of Reform in the year 1822.

Mr. *Cresset Pelham* considered the proposition for the total disfranchisement of the borough, when the franchise could be extended to an adjoining district, unjust. If they refused the district in this case, how could they allow it in others.

The question was put, "that Hedon stand part of schedule A," and carried.

The next question was, "that Heytesbury stand part of schedule A."

Captain *A'Court* said, it was not his intention to offer any arguments against the motion, after the decision of the House with regard to Downton, but would content himself with saying he opposed it.

Motion agreed to, and Heytesbury placed in the schedule.

The next question was, "that the borough of Higham Ferrers stand part of schedule A."—Agreed to.

The next motion was, "that the borough of Hindon stand part of schedule A."

Mr. *J. Weyland* said, it would be only wasting the time of the House if he were to contend, that the 150 honest electors of Hindon should, under any modified system of Reform, send two Members to Parliament. For his own part he cared not for his seat; he only hoped that the 10*l.* householders, into which these voters would be, as it were, transmigrated, would send a Member better qualified to serve the country in Parliament than he was.

He would say one word on the principle of disfranchisement. He thought that where it was done without necessity, it was great injustice; and when the Committee came to the enfranchising clauses, he should be able to show, that the best course to take would be, to consolidate some of these boroughs into a kind of scot and lot boroughs, by which all improper patronage would be most effectually done away with. Though he was now silent on the subject, he should be able to show, when the proper time came, that the franchise of these honest electors of Hindon ought not to be taken wholly from them; and he trusted he should not be twitted or insulted with any charge of wishing to delay the Bill by making such a motion. What was the Committee for, if they did not make amendments in the Bill? It had need of amendments. There was, however, a large body in, and a large body out of the House, cheering on Ministers to pass the Bill "with all its imperfections on its head;" or, to use the metaphor of an hon. and gallant Member on a former evening, who applied the feminine gender to his borough, he would say of this Bill—that if she was covered with ulcers, from the crown of the head to the tip of the chin, these parties would consider her a Venus. He was a Reformer, and was willing to make a sacrifice at the altar of his country, but he wished that the measure should be a real measure of Reform, and that it should not be represented over the left shoulder to the people as one thing, and over the right described to the aristocracy as another—as quite an aristocratic measure. But the honest people of England would not be duped by having it called a name to which it was not entitled, and it could not be called a measure in favour of the people, if it took away the franchise of any part of them without necessity. He would write to his constituents to-morrow, and tell them yesterday they were killed. However, he would endeavour to resuscitate them by moving at a future period that this borough be incorporated with some others. The Bill which pretended to do so much, which was Reform from the beginning to the end, reminded him of a circumstance which he heard when a young man about twenty years ago. A Russian arrived in France with the tautologous name of Mouski-Mouski. He was accosted by a Frenchman, who asked him—"Com-

ment t'appelle tu?" "Mouski-Mouski," was the reply. "Ah, mon ami," rejoined the Frenchman, "soyez Mouski si vous voulez, mais vous ne serez pas Mouski-Mouski: cela ne passe pas ici." The Frenchman thought, that a man should not have a monopoly of a name; and in the same way he would say, that this Bill ought not to have a monopoly of the name of Reform if it were not a Reform Bill in reality. He did not wish to see the people under a delusion as to this Bill, which they certainly were, if its effects should be, to take from them wholly the rights which they had inherited from their ancestors.

Sir *C. Wetherell* said, he was glad to hear this from a Reformer. He was glad to find, that a Reformer admitted the injustice of taking from those boroughs the rights which belonged to them, and excluding them wholly from a share in the Representation. Why should there be such an accumulation of boroughs cut off by the Bill, when part of the object of its proposers might be equally as well answered by extending the franchise to surrounding parishes and districts. He agreed with the hon. Member that there were persons out of doors hallooing on the Ministers. These parties, like the French Revolutionists, called *Ca Ira*, go on with your Bill, never mind what individual Members say, do not care for trifles, you have the Press and the country with you. He hoped hon. Gentlemen would bring forward these circumstances of absurdity, to which allusion had been made, when he would support them, for at present they were striking out boroughs without knowing whether they were right or wrong. If it was really a fact, that these places were as corrupt as they were said to be, he hoped that, when they were fairly disfranchised, some *locus penitentiae* would be provided for those who had represented them.

Mr. Alderman *Waithman* said, it was quite useless for the House to make arrangements to forward the progress of the Bill if hon. Gentlemen upon every occasion entered into such long and desultory discussions. It was natural that the hon. Member who represented the borough should make a few remarks, but there was no necessity for the hon. and learned Gentleman to speak on all kind of questions in all kind of terms, and in all kind of tongues. He was a counterpart of Lawyer Endless in the

play. He hoped the Chairman would exert his authority, and put a stop to such long conversations.

Mr. *Goulburn* thought the worthy Alderman was guilty occasionally of that conduct himself which he reprehended in others.

Sir *Charles Wetherell* said, he was, he believed, at perfect liberty to speak or not to speak, as he thought proper. Not so the hon. and worthy Alderman, who had thought proper to find fault with his speeches and conduct. That hon. Member had to vote, but he was prohibited from speaking. He (Sir Charles Wetherell) knew a place in which there was a kind of Old Bailey Jurisdiction; and if the Members for that place presumed to speak their opinions, or dared to say, that evidence should be received on a question where there was great reason to doubt, then he was immediately brought before the Old Bailey Jurisdiction, and told that he was sent to the House, not to speak, but to vote. The worthy Alderman had used no ceremony with him—he would use little with the worthy Alderman, and he would therefore say at once, that the place where this Old Bailey Jurisdiction prevailed was the City of London. If the Aldermen or the Members for that City dared to express their opinions, they were instantly dragged before this new-fangled base Jurisdiction, and told, that their duty was to vote, but not to use their judgment, or to speak their sentiments.

The Chairman (Mr. *Bernal*) said, he must reluctantly call the hon. and learned Gentleman to order. The question now before the Committee had reference to the disfranchisement of the borough of Hindon, a question to which the hon. and learned Gentleman did not appear to address himself.

Sir *Charles Wetherell* threw himself on the judgment of the House. The worthy Member had attacked him with a facetiousness not very common in Aldermen. He told the worthy Alderman, as he had a right to do, that he had the power to speak, but the Alderman had not, and it was, therefore, not a matter of surprise, that the worthy Alderman wished to deprive him of a power which he could not exercise himself. He would ask, whether he was not at liberty to treat with ineffable contempt and ridicule the censure of those who were not at liberty to exercise the privileges of Representatives,

Lord *John Russell* entreated hon. Members to allow these discussions to terminate. The learned Gentleman had spoken a speech which was not very relevant to the question before the House; and the worthy Alderman replied in a speech which was not much more so. He hoped, that the Committee would now be allowed to proceed with the question before it.

Mr. Alderman *Venables* felt bound to give his decided contradiction to the statement of the learned Gentleman, that the members for the City of London were not at liberty to express their opinions. As far as he was concerned, he could say, he felt at liberty to speak and to vote in any manner his judgment dictated; and he was confident that none of the members for the City of London were open to the accusation of the hon. and learned Gentleman, who charged them with being deprived of the privilege of uttering their opinions. The learned Gentleman should, however, recollect, that the conduct of the members of the City of London was open to much public observation, while his conduct, and that of the Members for nomination boroughs, was subject to no such coercion or examination.

Mr. Alderman *Waithman* begged to observe, that he came into that House on the strength of the profession of political opinions which he was anxious to support, and which he was at full liberty to support in any manner he thought proper. He conceived, however, that if he, as a member for the City of London, did anything not congenial to the feelings or opinions of his constituents, they had a right to remonstrate with him on the subject.

Mr. *Lee* said, that the people of Hindon had, during the last Session, intrusted him with a petition in favour of Parliamentary Reform, and he believed, although they were subjected to disfranchisement, that they approved of the principle of the Bill.

Mr. *Weyland* denied this, and said, he had run a great risk of losing his seat, in consequence of the kind of *felo de se* vote which he gave in favour of Reform last Session.

Motion agreed to, and Hindon ordered to stand part of the clause.

The next question was, "that Ilchester stand part of schedule A."

Mr. *Petre* did not rise to object to the Motion, for he was favourable to the Bill,

but to pronounce a short funeral oration over the borough—may it rest in peace!

Ilchester was added to schedule A.

On the question, that East Looe stand part of the clause,

Mr. *Davies Gilbert* thought, that the situation of this borough deserved some consideration. The towns of East Looe and West Looe, were nearly one and the same. They had the same chapel and the same market, although they were situated in two different parishes. The population of East Looe, in the year 1821, was 770; and of the parish in which it was situated 411. The population of West Looe was 559, and of the parish in which it is placed 839. The whole population of the two parishes was, therefore, with the boroughs, 2,579; and he thought, therefore, it would be no violation of the rule of the Government to join these boroughs, and allow them to be placed in schedule B.

Mr. *H. T. Hope* supported this proposition, and observed, that the voters of Looe were under no other influence than that of kindness and respect for those who resided in their neighbourhood.

Mr. *Stanley* thought it rather too much that these two boroughs should, because they had hitherto sent four Members to Parliament, consider themselves entitled now to brace up between them the numbers of inhabitants which would enable them to retain one.

Mr. *Buller* said, that these two places of East and West Looe, had originally sent but two Members to Parliament. They now claimed to be united as they were before.

Mr. *O'Connell* said, there was but one borough more rotten than East Looe, and that was West Looe. The franchises were given in the time of Elizabeth; they were rotten then, and had been so ever since. Hitherto each had returned as many Members as Westminster, and taken together, as many as the City of London. This was monstrous, and he was glad he had lived to see the day, when East and West Looe, the two worst of all the nomination boroughs, were doomed to destruction.

Mr. *Kemmis* thought, the hon. member for Kerry might be fairly asked, what number of places were under his nomination in Ireland.

Mr. *Baring* said, the question was not now whether they would get rid of the

nomination, or corrupt boroughs, for everybody knew that, by the alteration of the franchise, the corruption in the nomination would be put an end to, even in those places where it had hitherto most prevailed.

The question now was, to whom the elective franchise was to be given, or with whom it was to be left; and he must say, that there was to be a transfer of that franchise from the South to the North, which was exceedingly unfair; and which would give a great preponderance to the manufacturing, at the expense of the agricultural interest. If Cornwall had hitherto had more than its due share of Representatives, that was accounted for by its varied interests. Its mines and its fisheries were of great local and peculiar importance. The boroughs in Cornwall had each some interests to protect, either with reference to the mines or the fisheries; and he certainly thought it was of more importance to leave them the power of choosing Representatives to support their local interests, than to give Members to such watering places as Cheltenham or Brighton. If this Bill were carried into effect, Cornwall would be denuded of its Members, and the best interests of the empire left unprotected to bestow Representation on such mushroom places as these, which derived importance only from the migratory shoals which annually resorted to them.

Sir *R. Inglis* said, that as the Looes were formerly but one town, and if the object of the Bill was to restore, and not to destroy, the present proposition could not be refused. If it were, then the country could no longer be deceived, but must see that the real object was, to make a new Constitution. On a former occasion he had proved, that small places were systematically created parliamentary boroughs, and the object was, to enable the Crown and Aristocracy to maintain an influence in that House. There was never, at any time, a separation of the three branches of the Legislature; the House had never represented the people, distinct from the Monarchy and Peerage; the system, therefore, now proposed, was not Reform, but reconstruction.

Mr. *J. L. Knight* said, that he for one felt himself, and he presumed the Committee would also feel itself, released from any engagements they had made, not to oppose the principle of disfranchisement with regard to boroughs. It was now, in

his opinion, perfectly competent for every Member to consider upon its own peculiar merits the fate of each case that came before them, after the decision which had been come to with regard to the borough of Downton. He rose for the purpose of saying, that he felt himself now entitled to deal with every individual borough upon its own merits, as much as if no principle had ever been laid down and acceded to.

Lord *Althorp* said, that the decision upon the case of the borough of Downton was no infringement of the rule which had been agreed to. As to what had been said by his hon. friend about denuding Cornwall of its Representation, he put it to his hon. friend, whether more Cornish men would not be returned, under this Bill, from the county of Cornwall than were returned at present.

Mr. *Goulburn* would ask the noble Lord, whether they were likely to have fewer Cornish men returned from Cornwall by giving the right of returning one Member to the two Looes? He thought it a most material question for them to consider, whether or not they were doing wisely in disfranchising places of so much real importance as Fowey and East and West Looe, while other places of far less consequence were retained.

Lord *Milton* said, the rule was, that all boroughs with a less population than 2,000 should be disfranchised. Now the boroughs of East and West Looe had each of them less than that number; indeed he believed the population of both together did not exceed 2,500. It was said they had departed from this rule with regard to Downton; and he for one did not approve of the plan which his noble friend had adopted with regard to the borough of Downton, as he had shewn by voting with the Gentlemen opposite upon that question. But he denied, that that was any breach of the vote which declared that no borough having a population of less than 2,000 should be allowed to send Members to Parliament. It was the superaddition of a new rule for disfranchising where the numbers might be above that amount, and as such he had voted against it. But it was fallacious to say, that it was a breach of the other rule.

Mr. *G. Dawson* said, it would be a violation of common sense for Gentlemen henceforth to talk of rules or principles in this measure after the decision of last night. By so doing they would be making

themselves a by-word to the country. He agreed for once with the hon. and learned member for Kerry, who described the principle of the Bill to be the destruction of nomination. If it had any principle at all it was that. It was nomination that the people complained of, and not whether a borough had 2,000 or 4,000 inhabitants. Let him, then, ask Gentlemen opposite, whether they were getting rid of nomination by this measure? Look at the borough of Malton. Would any man say that, after the passing of this Bill, the power of Earl Fitzwilliam to nominate the Members for that borough would not be more complete than it was at present? He would say, that the authors of this Bill were bound to disfranchise all nomination boroughs, and even counties, if they were found to be in the hands of nominators. The noble Lord tossed up his head, as if that could not be done. But he would tell the noble Lord, that he had created the difficulties, and on his shoulders they would fall, whether he was able to bear them or not. They would find that, after they had passed this Bill, the cry against nomination would pursue them at every step, and they would find, that they had done nothing at all. He was not saying this because he saw the evil of nomination. He much preferred nomination, with the whole of the present system, to the change which the noble Lord had proposed.

Mr. O'Connell assured the right hon. Gentleman, that when he moved the disfranchisement of the nomination borough of Malton he might safely reckon upon his vote, which he should certainly have. At present nearly half the House consisted of persons having no connexion with the places they sat for. This was particularly the case with the Cornish boroughs, two of which were at present before them. The right hon. Gentleman had very kindly instructed the Radicals as to what they were hereafter to do; and he had no doubt they would refer to these debates, and take up the Tory speeches as an unanswerable ground for the entire removal of nomination.

Mr. G. Dawson said, that he never should support the disfranchisement of any borough whatever. He had stated, that he preferred the present system; but that those who supported the Bill were bound to the destruction of all nomination. The hon. member for Kerry ought to be the last man in that House to join in the complaint that Cornwall had not been repre-

sented by Cornish men. The hon. Member himself had invaded the elective franchise of three counties in different parts of Ireland, with neither of which, excepting the last, had he the remotest connection. He was not aware of any good which the hon. Member had ever done in the House since he had been in it. The county of Clare got very suddenly tired of him, and cast him off, the county of Waterford very soon cast him off, or the hon. Member cast them off—and he did not know how soon he might be cast off by the county of Kerry.

Mr. Kennedy said, that Gentlemen could not always be returned from places to which they belonged, as was shewn in the case with his right hon. friend who had just spoken, who was not able to get himself returned for the only county with which he was connected.

Mr. Brogden said, the hon. and learned member for Kerry carried his elections by the amazing influence he possessed over the minds of the Irish people, which had been obtained by ministering to their religious and political prejudices. He fostered the darkness of Catholicism and the mischief of democracy; but he would find it no easy task to make these feelings generally prevail in England. The boroughs of East and West Looe were created by Elizabeth, as a protection to the Crown, and a support to the Protestant religion: and he trusted the time would never arrive when the Sovereign would feel a want of the support afforded by Members for such places. The history of the past, as well as of the present, exhibited ample proof of the advantage of these places, for most of the distinguished statesmen who had adorned that House, or promoted the interests of their country, had been sent into Parliament by small boroughs. Having represented one of these boroughs for several years, he considered himself bound to assert, that he was as independent, and as desirous of advancing the best interests of the country, as any hon. Gentleman.

Mr. H. T. Hope said, he did not rise to complain of any opinions expressed by the hon. member for Kerry as to the boroughs of Looe, or to those who represented them. He meant no personal disrespect to the hon. Member, but as a political man, the approbation of the hon. Member would afford no very high excitement or gratification to his ambition. When he remem-

bered that in the conduct of the hon. Member it always appeared to be a point gained when he could succeed in casting an aspersion upon any part of the British Constitution, or of its establishments, he certainly did not feel his censures very acutely, or entertain any strong wish to repel an attack upon himself, or upon any one connected with him, coming from such a quarter.

Mr. *Davies Gilbert* intimated, that he considered the claim of the two boroughs a strong one, but that he should not divide the Committee after what had fallen from the noble Lord opposite.

The question was then put, and the borough of East Looe added to the schedule.

The next question "that West Looe stand part of schedule A" was also agreed to.

Upon the question, "That the borough of Lostwithiel do stand part of the clause,"

Mr. *Goulburn* said they had heard a great deal about rules which had not been closely adhered to, and he thought, therefore, in this instance, he should be able to shew that the borough of Lostwithiel extended into other parishes, containing together a population of 3,157. He was not sure that this would entitle it to the favour of the noble Lord. He was aware that, according to the principle laid down, they had no right to take the population of the three parishes; but as the borough extended into them, on a common principle of fairness, they ought to be included in the return of the inhabitants of the borough. He thought this entitled it to peculiar consideration, especially in conjunction with its being the county town of Cornwall.

Lord *J. Russell* said, the rule decided upon in the case of Appleby, was, that they should not go to the parishes when the borough stood in more than one. The population returns showed the population of the parish of Lostwithiel to be 900, while those parts of the adjoining parishes which were included in the borough had only 200 inhabitants. The case, therefore, came clearly within the line.

Lord *Valletort* said, that he should not have said a word upon this question had he not been [the Representative of Lostwithiel. But he understood the putting of the question upon these boroughs as a call upon their Representatives to say why sentence should not be passed upon them. All he had to say for the borough was, that

it was innocent. The answer to which, he knew, would be, "Yes, but you are old and impotent, and must die." He had really nothing further to say, except that in the intercourse between him and his constituents nothing had ever occurred but what was strictly honourable to all parties.

The question carried.

The Chairman then put the question, "That the borough of Ludgershall stand part of the clause."

Sir *Sandford Graham*, as member for the borough, felt called upon to make a few observations. He had long been of opinion, that no efficient Reform of Parliament could take place without the disfranchisement of these boroughs. He, therefore, cordially supported the clause; they had heard a great deal of fetters and pledges, but acknowledging himself the patron of this borough, and being determined to support Parliamentary Reform, he felt bound to vote for the disfranchisement of the borough.

The question carried.

On the question relative to the borough of Midhurst,

Mr. *John Smith* said, he did not rise to oppose a measure which, on the contrary, had his entire approbation; but he wished to state, that the right of voting for Members for this borough was vested in persons holding by burgage tenure, and that they had as much right to send any other gentlemen into that House as their Representatives, as those whom they did send. He could assert, that for thirty years, they had never received any personal advantage or favour for the use which they made of their privileges; and the Lords of the Manor, of whom he was one, had the strongest confidence that they would not betray the trust reposed in them.

Mr. *Cresset Pelham* might pay a compliment to the hon. Member for his disinterestedness, but he could not give credit to the immaculate purity of the electors. The hon. Gentleman, no doubt, as one of the Lords of the Manor, let his property to his tenants upon such terms as amounted to giving them a consideration in money for their votes. The hon. Gentleman did not, surely, pretend to say, that a much larger sum of money was not given for the Manor because it had the right to return Members? These circumstances were equivalent to corruption.

Question carried.

The question upon the borough of Mil-

borne Port was carried without any remark.

The Chairman put the question, "That the borough of Minehead stand part of the clause."

Mr. *Luttrell* rose to express his heartfelt grief at seeing the rights of his constituents torn from them so unconstitutionally and so unjustly as they would be by this Bill. He considered also, that the rights given to him by his station in connection with the borough, were about to be violently and unjustifiably taken from him. The Representation of the borough had been in his family from generation to generation, and he considered it as his birth-right. He denied the power of that House to deprive him of rights which he derived from the Constitution. If it could do so, then it also had the power of passing a law to take from him his castle. The circumstances upon which he claimed, that the borough of Minehead should at least be put into schedule B were these:—The borough extended into the parish of Dunster, and one-third, the most populous part of the parish of Dunster, was in the parish of Minehead. Now he was greatly mistaken if the noble Lord did not state, when he first explained his plan, that where the borough extended into adjoining parishes, the parishes were to be included in the estimate of the population. But by one of those turns about, of which the House had seen so many, the noble Lord now told them, that only one parish could be so taken into the borough. The population of the two parishes of Minehead and Dunster, according to the returns of 1821, was 2,134. To shew the hardship and injustice of refusing the returns of 1831, he would mention the fact as a curious one, that by those returns the population of the borough alone now amounted to exactly the same number of 2,134; so that, if the last census had been taken as it ought to have been, for the foundation of any measure, the borough of Minehead could never have been put into schedule A at all. The independence of the voters of Minehead was secured by the nature of the right, which was vested in every inhabitant householder at the time of the election, being a parishioner of Minehead or Dunster. They had heard much last night of the difficulties of conferring the franchise on a rural population; but, by admitting the parish of Dunster, he was happy to say, that the rural popu-

lation of that parish would not amount to more than thirty individuals. Upon these grounds he should vote for the transfer of the borough of Minehead from schedule A to schedule B.

Lord *J. Russell* could not allow, that the right to the nomination of a borough could, according to the law of this country, be supported on the ground that it was private property. Even when the law had not positively taken away the power of nomination, the only feasible defence or excuse that could be made for it was, the manner in which it was exercised in some cases. This place consisted of three tithings—first, the tithing of Minehead; second, a tithing containing only part of the parish of Dunster; and, third, the tithing of Stepfield. Now, if the three were joined together, the amount of the whole population would be only 1,800; and he did not think, that by any possibility the borough could make up 2,000 inhabitants. No sufficient reason had been given for the removal of this borough from the schedule.

Mr. *Goulburn* said, there were circumstances in this case which distinguished it from any other. Minehead, it was true, included only a part of Dunster, but Parliament had, by its resolution, laid it down, that every parishioner of Dunster had the capacity of becoming a voter for Minehead, if such parishioner occupied a house in that borough? When every man in Dunster, if he pleased, had a right to become a voter for Minehead by becoming a householder, it made a very material distinction in the case. Housekeepers thus connected with Minehead had a right to elect, and thus a very considerable constituency was secured. If his hon. friend and his ancestors had for a long time been returned for Minehead, it was not on the principle of nomination, but from the fair and legitimate influence of property—an influence which would still continue in operation, even should this Bill be carried.

Lord *John Russell* said, the resolution only referred to parishioners of Dunster, being resident in Minehead. Certainly, the statement with regard to the parliamentary Resolution, was of material importance in the consideration of the subject—and the best course, therefore, would be, to have that Resolution read, that they might know the exact words.

Mr. *Tomline* wished to state another fact of considerable importance. It was,

that there would be no difficulty in creating the constituency required by the Bill, without introducing any extent of rural population, or going to any distance from the borough. The case was different in this respect from Appleby; and the number of 101. houses had doubled since 1781.

The Clerk then read the Resolution aloud to, as follows:—

“February, 1717. That the right of electing burgesses for the borough of Minehead is in the parishioners of Minehead, and of Dunster, being housekeepers in the borough of Minehead, and not receiving alms;” which Resolution was carried in the affirmative.

Mr. *C. Ross* said, this Resolution proved that the right of voting was in the parishioners of Dunster, being householders, of such parts of the tithings of that parish as were within the borough of Minehead, and, that Minehead and Dunster being taken conjointly, the population would amount to upwards of 2,000. From the population returns of 1821, it appeared that Minehead contained 900 persons, and Dunster 1,200, but the portion of Dunster in the borough contained only 700, and on this account it was, that Minehead was placed in schedule A. By the addition of the remainder of the parish, the whole population would amount to 2,100, and therefore the borough ought to return one Member under schedule B.

Mr. *Stanley* observed, that if Minehead and Dunster, as placed in the population returns, were united, the aggregate population would not amount to 2,000. By the census even of 1831, the population of Minehead was only 1,494, and if they added 251 for Dunster, the aggregate would be 1,745.

Mr. *Goulburn* said, that he stood upon this peculiar point, that a Resolution of the House of Commons had solemnly decided, that the parishioners of Dunster, who became housekeepers of Minehead, had a right to vote. This took the borough out of all ordinary rules.

Mr. *S. Wortley* thought this case essentially different from that of Appleby. It was evident, that in Minehead the limits of the parish had nothing to do with the right of voting, and the fact, thus established, was all that was wanting to make the case of Appleby good. He was decidedly of opinion, that the whole parish of Dunster ought to be included in the borough, as it was clearly contemplated

that parishioners should enjoy an advantage over strangers.

Lord *Althorp* could not think, that the meaning of the Resolution was to include the whole of Dunster in the borough of Minehead. The Resolution confined the right of voting to those parishioners of Dunster who were resident in Minehead, and it could not, therefore, have been intended to extend the borough over the whole of Dunster. The right of voting depended, not alone upon a man being a parishioner of Dunster, but upon a man being a parishioner of Dunster, and resident in that part of Minehead which was situated in Dunster.

Mr. *Courtenay* said, if they disfranchised this borough, they took from the inhabitants of Dunster the power of qualifying themselves as voters for Minehead. He considered this a valuable privilege to such inhabitants; and, considering the peculiar circumstances of the case, it would be a measure of great injustice to continue Minehead in schedule A.

Sir *E. Sugden* was of opinion, that, independent of the question which turned upon the Resolution, this was clearly a case in which a constituency could be created without having recourse to the rural population. They had here an adjacent town, from which they could derive a constituency. As to the Resolution, it clearly gave the right of voting to all the parishioners of Dunster; only that, in order to qualify themselves for the exercise of that right, it was necessary that they should have a house in Minehead. The possession of the house, therefore, was merely the qualification. If this were not the meaning of the Resolution, it was one of the most absurd Resolutions that reasonable men ever came to.

Mr. *Stanley* said, that the amendment proposed when the Resolution of 1717 was adopted, was a clear proof, that the construction placed on the Resolution by the then Ministerial side of the House was the correct one. The original Resolution proposed to give the right of voting to all the parishioners of Minehead and Dunster being householders of the borough of Minehead. The amendment proposed on this, to leave out the words, “being householders of the borough of Minehead.” Had the Legislature intended to attach the meaning to the Resolution which the hon. Gentleman opposite assumed, would it not have assented to the

amendment? The fallacy of the hon. and learned Gentleman's argument, and what he complained of as nonsense, consisted in a word which the hon. and learned Gentleman had inserted in the Resolution. This was the word "all," which was not in the Resolution, and which made nonsense of a Resolution that was very good sense without that word.

Sir *Edward Sugden* could not think the House of Commons would sanction anything so absurd as the words at the end of that Resolution, without intending to attach some meaning to them. The Resolution was, that the right of voting was in the parishioners of Minehead and Dunster, who were householders within the borough of Minehead. The question was left to be decided as to the limits of the parish. It was obvious, from this, that the parishioners of Dunster were to enjoy privileges, with respect to the borough of Minehead, which strangers could not enjoy. He was decidedly of opinion, that the franchise ought to be extended to both parishes.

Mr. *Stanley* could only repeat, what he had before said, that the proposing of the amendment to the Resolution, as it stood at present, and the rejection of that amendment, was a sufficient proof of the meaning the House of Commons of that day attached to it—the Resolution did not say "all" the parishioners, but only such as were housekeepers within the borough.

Mr. *O'Connell* said, it was clear, that the House intended to limit the right of voting to that part of Dunster into which the borough of Minehead extended. It seemed to be supposed, that there was an inchoate right in all the parishioners of Dunster to vote, and that that inchoate right might be perfected, by going to reside in Minehead. This, however, could not be intended; for any man who became a householder for a certain time, became a parishioner of the place in which he held his house, no matter from what part of the kingdom he might come. Why, then, pass a resolution to effect that with regard to Dunster or Minehead, which was already true of every other part of the kingdom?

The *Solicitor General* said, that as he understood the question, it stood thus. There was no doubt as to the limits of Minehead, nor as to the population of it being below the fixed mark. It was then said, that by calling in the aid of strangers,

the population might be brought up to that mark; but, it seemed to be forgotten that the strangers so to be called in, must not only be householders of Minehead, but also parishioners of Dunster.

Sir *Edward Sugden* was glad to find, that his learned friend was with him. That was precisely the point for which he contended.

Mr. *Goulburn* considered the statement of the learned Solicitor General, supported what they had been contending for; it was necessary, as a previous qualification for the voter of Minehead, that he should be a parishioner of Dunster. He should like to know why the House of Commons introduced the words "Parishioners of Dunster," if they did not intend these parishioners should enjoy certain privileges.

The *Solicitor General* had stated, that the resolution of the House made it necessary that a person should be a parishioner of Minehead or Dunster, before he was entitled to vote.

Mr. *Goulburn* said, that was what they contended for.

Mr. *O'Connell* maintained, that any person, whether previously or not a parishioner of Minehead or Dunster, residing as a householder six months in the borough, was entitled to vote. The Resolution of the House of Commons, in fact, was, that a person being a householder in the parish of Minehead, was entitled to vote; and also, a person being a householder in that portion of the parish of Dunster situated in the borough of Minehead, was entitled to vote. The qualification appeared to be no other than being a householder in the borough of Minehead, which he might become, and yet never enter Dunster. A great deal of special pleading had been thrown away, to make a clear question obscure.

Sir *Edward Sugden* was satisfied, that no charge could be made against him, for attempting to make a clear subject obscure, by special pleading. He would ask the noble Lord, whether he would continue to press the case, after his learned friend, the Solicitor General, had attached the same meaning, exactly, to the terms of the Resolution as the Members on the Opposition side had done. His learned friend stated, that if a person wished to vote for this borough, he must, in the first instance, become a parishioner of Dunster, and afterwards a householder in

the borough. The rule laid down by his learned friend was clear and satisfactory.

The *Solicitor General* understood his learned friend to contend for a very different point. He meant to say, that strangers must make themselves competent, before they were entitled to vote for the borough of Minehead.

Sir *Edward Sugden* said, his learned friend had satisfied every one in the House. If he had any doubts before, they had been entirely removed by the opinion of his learned friend.

Lord *Althorp* begged to remind the House once more, that the rule was, that the right of voting was in the householders of the borough of Minehead, not receiving alms; and also, the housekeepers of that part of the parish of Dunster, situated in the borough of Minehead, not receiving alms. The residence in the other part of the parish of Dunster, gave a capacity which a person not so residing did not possess. He meant, immediately on his becoming a householder in the borough of Minehead, he would be entitled to vote; whereas, a stranger would have to wait for some time before he could claim that privilege. The question, therefore, was, whether these privileged inhabitants of Dunster had a sufficient share in the borough of Minehead to give them a claim to be added to the population of the borough. It was his decided opinion, that they possessed no such claim. He should, therefore, support the original question, that the borough stand in schedule A.

Sir *Robert Peel* did not think a mere residence in the borough of Minehead established a right to vote.

Lord *Althorp*, becoming a parishioner.

Sir *Robert Peel*.—Certainly not the mere residence, because a voter must become a householder; but something in addition to that was required from a stranger. The inhabitants of Dunster possessed this advantage, that immediately on a freeman becoming a householder in the borough of Minehead, he was entitled to vote; but it was necessary that a stranger should gain a legal settlement.

Sir *Charles Wetherell* said, that the hon. and learned member for Kerry had stated this question too short, and had forgotten that there was in England such a thing as a law of settlement, though there was no such thing as a law of settlement in Ireland. It happened, how-

ever, that in England a man could not have a vote till he had obtained a settlement. He had no doubt, that if the Resolution which had been read, were maturely considered, the borough would be taken out of schedule A.

Mr. *O'Connell* said, that if he had stated this case too short, that was a fault which could seldom be laid to the charge of the hon. and learned member for Boroughbridge. He knew well enough, that it was necessary for a man to occupy a house of a certain amount, and for a certain time, before he was qualified to vote. But the qualification was a mere matter of time; and where the franchise was fixed like this, that time being completed, the qualification would fall to any man, from whatever part of the kingdom he might come.

Mr. *Hughes Hughes* begged that the House would not, in these nice distinctions, lose sight of the important question before them. Let hon. Members recollect, that the hon. member for Minehead had claimed this borough as his own property, on the ground that it had been the property of his family from generation to generation. If there were any argument more strong than another, in favour of its disfranchisement, the hon. member for Minehead had furnished that argument. It was the duty of the House to negative such a claim at once, and to get rid of this generation proprietorship.

Mr. *Attwood* was of opinion, that the rule which Ministers had laid down would not be impartially applied, if this borough were not taken out of schedule A. He did not expect, however, this would be done, after the decision of the Committee on several other boroughs. If the object was to destroy as many of them as possible, then the claims of Minehead would not be admitted; but if the object was justice, and adherence to rules laid down, then Minehead must be saved. A strong case had been made for the borough of Appleby, but this was stronger. The parishioners of Dunster had a right, an imperfect right, it was true, but still one which was entitled to respect. He hoped, therefore, the Committee would extend the franchise to the whole parish of Dunster, and place Minehead in schedule B.

Mr. *Praed* was against the disfranchisement of this borough; because, a stranger coming and occupying a house

there, would not acquire the right of voting until he had gained a settlement, but a parishioner of Dunster would obtain this right as soon as he was in possession of the house. Here was a case of distinct parliamentary connexion, in which no question could arise as to the position of the church, or the jurisdiction of the coroner, &c.; so that there seemed to be no difficulty in the way of removing the borough from schedule A.

Dr. *Lushington* said, that two constructions had been put upon the Resolution which had been read, and it was upon which of these they adopted, that the question of Minehead returning a Member seemed to be placed. The hon. and learned member for Kerry laid down the rule, that unless an individual be a parishioner of that part of the parish of Dunster, within the borough of Minehead, he was excluded from being an elector; he thought this interpretation most consistent with parliamentary practice and precedent. He believed there never was a case in which residence gave an inchoate right of becoming an elector, as was now contended for. No claim was, therefore, made out for the continuation of the franchise in Minehead. What was the state of things there? It was not what the hon. Baronet had represented, viz. that every person must be legally settled in the borough of Minehead to give him a vote, for the right existed before the Poor-laws were established. It was, consequently, impossible that the right of election, so ancient, could depend upon what was afterwards done on the subject of Poor-laws. There were one or two cases in which the rights of election were so qualified, as to render them the greatest possible anomalies. But, supposing the parishioners of Dunster did possess this capability of eventually becoming electors, what was it but the common case of non-resident freemen, who did not possess the right of voting, until they became inhabitants of the town of which they were free. In scot and lot boroughs, a man might have a habitation which would entitle him to vote by residing in it. It appeared, however, from other considerations, particularly from what had been said by the hon. member for Minehead, even admitting the views of the hon. Gentlemen opposite, that it was a borough which ought not to retain the right of sending Members to Parliament.

Mr. *Hudson Gurney* maintained, that the parish of Dunster ought to be united with the borough, and that to both, thus united, the right of returning one Member should be continued. Dunster had been an ancient borough, and had alone exercised the franchise under the protection of its Castle. In the 1st of Elizabeth, when Minehead was summoned to return Members, the amalgamation of the two places probably took place.

Sir *Charles Wetherell* said, it was clear from all they could see, that for parliamentary purposes the two places were one and the same.

Lord *J. Russell* said, that no reason had been shown why the parishioners of Dunster ought to be taken into account with the population of Minehead. It was not sufficient, that a man was a parishioner of Dunster, he ought also to have a holding in Minehead.

Sir *James Scarlett* said, that his hon. and learned friend had stated, that the payment of the poor-rates in the borough parish of Dunster conveyed no right of voting in the borough, for the right existed before the establishment of the Poor-laws. Although that might be generally true, yet, in a variety of cases, such payment had been taken as a proof of the right of voting in scot and lot boroughs always. His hon. and learned friend had also said, that there was no more reason for preserving inchoate rights in this case, than in the case of freemen, whose rights must be perfected by inhabitancy. But freedom was generally a personal right; here the right plainly attached to the locality. This brought before them something like a question worthy of consideration; for if the right of voting existed, in any parishioner on his taking the smallest tenement in the borough, it was clear, that if the Committee disfranchised the borough, it would also disfranchise the parish. He would not put any off-hand judicial construction upon an obscure Resolution of the House, passed in 1717, as he well knew, that questions of constructions as to resolutions referred to Select Committees by the Act 10th George 3rd, had required days before they could be decided.

Sir *Charles Wetherell* wished to defer the consideration of the question, but as hon. Gentlemen had come to the House to vote for "the Bill, the whole Bill, and nothing but the Bill," for the whole of schedule A, and nothing but schedule A, it

was in vain to appeal to the justice of the Committee; he should not, therefore, make any motion for delay, as that would be called factious.

Mr. *Goulburn* was still of opinion that the parish of Dunster ought to be united with the borough, and that it ought not to be disfranchised, but he would not divide the House on the question.

The question "that Minehead stand part of schedule A," was carried.

The next question was, "that the borough of Newport stand part of schedule A."

Sir *Henry Hardinge* said, he had no abstruse points to interpose to prevent the extinction of Newport. He could but admit, that this was one of those boroughs which came within the line which the noble Lord had selected for disfranchisement, he would say, nevertheless, that that was a most arbitrary and unjust line. This borough had exercised the franchise for upwards of 300 years, and it had never been accused or convicted of corruption. The only crime, in fact, of which it was guilty was, that of being an inconsiderable borough.

The question carried.

The next question "that Newton, Lancashire, should stand part of schedule A," was also put and carried.

The next question was "that the borough of Newtown in the Isle of Wight, be placed in schedule A."

Mr. *Hudson Gurney* said, Sir; On this somewhat inauspicious roll-call, I had hoped that my hon. and learned colleague, his Majesty's Solicitor General, would have risen in the defence of the borough which has done us the honour to return us to Parliament. I am sorry, that the task has fallen into weaker hands. Sir; the borough of Newtown does not come within the line traced by his Majesty's Ministers. It has not 2,000 inhabitants. But the borough of Newtown never returned to Parliament on the score of habitancy. It is a right purely of tenure—the original summons going to it by the prerogative of the Crown, as of the demesne of the Crown, and as being of the possessions of a branch of the Royal Family. This borough was first summoned by Queen Elizabeth—the major part of the burgage tenures on which the old town and port of Newtown had formerly stood, being then in the possession of Sir Thomas Barrington, in right of his wife, who was nearly related to the Queen,

and was one of the co-heiresses of that line of the Plantagenets in which these ancient burgage holds had vested. In their descendants these lands have remained ever since. To two successive Baronets, the representatives, in a direct line, of this splendid alliance, I acknowledge myself to have been indebted for my seat during six Parliaments; and as, by the tenure of these burgage lands, the possessors were bound to service in Parliament, either by themselves or by deputing some one in their place, I have always held, that I occupied as constitutional a seat as any in this House. I have considered myself charged with an honorable trust—I received it under no unworthy conditions—I have endeavoured to execute it independently—and the voting away so distinguished a privilege, attached to the inheritance of this highly-descended family—not matter of mere influence, or corporation management, but part and parcel of their possessions—without any arrangement towards compensation or indemnity, can only be regarded as one of those acts of spoliation, of which all that can be said is, that it is a confiscation, which, in times of political change, those who are the weaker are compelled to submit to, from those who, at the moment, may be stronger than they. I have had a succession of colleagues, returned under the influence of the noble Lord to whom the greater part of the remaining burgages belong, certainly under one bias as to political leaning, but all of them men with whom I was proud to be joined;—and if I should now retire from this House, and if I should witness the extinction of the borough of Newtown, I shall at least carry with me one consolation—that, during the sixteen years in which I have had the honour of a seat in Parliament, I have never known the members for Newtown rendered such a spectacle to men and angels, as the four members for the City of London, within the last week.

Mr. *O'Connell* said, the hon. Gentleman was one who declared every session that no Peer had, or ought to have, any influence in the election of Members to serve in that House. His patron was a Baronet; that was a pretended escape. The representation of a noble Duke or a noble Lord was to be put in competition with a representation of the City of London. Well, be it so. The people understood that. In that House he heard a feeble cry in favour

of the nomination system ; but there was a voice abroad which spoke in the tone of thunder against that system. There was a cry abroad against the nomination system, which extended from one end of England, Ireland, and Scotland to the other.

Mr. *Attwood* thought, the spirit of the speeches of the hon. and learned member for Kerry ought to teach that Committee a most serious and important lesson. Indeed, the whole of the discussion upon this Bill ought to convince the Committee of the extreme danger to be apprehended from its consequences. Let the argument advanced by the hon. and learned Attorney General last night be well weighed, and the frightful results to which it must lead, if acted upon, would be palpable to the meanest comprehension. The Attorney General held that, if the origin of a thing were bad that justified its abolition. Such was the argument of the King's Attorney-General, and, if acted upon, there could be no doubt that the time was not far distant when the Peerage would be assailed and destroyed, and the Throne itself would lose its stability. From the manner in which the advocates of the Bill had conducted themselves during the Committee, from the levity with which they had treated the matter, it could no longer be doubted that the doors to change and revolution were thrown wide open. The proceedings of that Committee, the conduct of that Committee, presented such a scene as had not been exhibited since the first sitting of the National Assembly of revolutionized France.

Lord *J. Russell* said, that he wished as much as possible, while they were occupied with the consideration of particular cases like the present, to avoid entering upon any discussion touching the general bearing or nature of the Bill itself. He could not, however, permit attacks to be made, night after night, upon a majority of the Members of that House, and upon the members for the city of London in particular, without saying, that such attacks had no foundation in reason or justice ; and that it was most offensive towards the House to continue to indulge in them. An hon. and learned Gentleman, for instance, had said, in an early part of the night, that the decisions to which this Committee had come were founded in iniquity ; and another hon. Member had just accused them, of acting like a revolutionary assembly. Whatever those hon. Members

might allege against a Reformed House of Commons, he (Lord John Russell) must say, that he had never before sat in a House of Commons in which such language had been employed towards the majority of the House, as those hon. Members had thought fit to use. Then an attack was made upon the members for the city of London, because, forsooth, they listened to the advice of their constituents. Now, what were the facts of the case to which so much reference had been made ? After the dissolution of the late Parliament on the question of Reform, he believed, that the candidates throughout the country had stated to their constituents, their sentiments with regard to the Bill, before they were elected, and it was, therefore, perfectly fair and natural, that when the worthy Alderman alluded to had given a vote which his constituents might consider rather at variance with his previously avowed sentiments, they should call upon him to reconcile it with those sentiments. They had heard much of the independence of the Members for nomination boroughs. It was more than probable that the hon. and learned Gentlemen who sat for those boroughs had previously stated their sentiments in regard to the Bill, to the noble Peers who sent them there, and had avowed their hostility to it as a democratic and revolutionary measure ; and he believed, that if any of those hon. or those learned Gentlemen should, in any stage of the Bill, vote for a motion which was in favour of it, the noble Lord, who had sent that hon. Gentleman to that House, would turn round upon him at once, and call upon him to reconcile his vote with his previous pledge, or to submit to the alternative. Away, then, with the idle talk of independence as compared with the independence of those Members who represented popular places. With regard to the imputation which had been cast upon the members for the city of London—namely, that they were in a state of degraded dependence—he must say, that it was a most unworthy and a most unfounded one, and as long as he had a seat in that House, and as long as he had the honour of being a Citizen of London, he should never allow such attacks to be made without defending them from such groundless imputations.

Sir *James Scarlett* had been surprised at the zeal and animation of his noble friend, until he had heard the peroration

of his noble friend's speech. When his noble friend alluded to his recently-acquired civic honours, his unusual animation was accounted for. Like his noble friend, he did not wish to travel out of the question properly before the Committee; but, certainly, if called upon to deliberate on the topics noticed by his noble friend, he must say, he should view them in a very different light to what his noble friend did. He was not desirous of investigating the conduct of his noble friend's colleagues and compatriots; but if his opinion were asked, he should certainly say, that that conduct had not been constitutional. He did not, however, wish to go into that question, but he rose principally for the purpose of calling the attention of the Committee to the evident inconvenience which must arise from multiplying the Representatives coming from the immediate neighbourhood, and sent there by large popular bodies. His noble friend had spoken of nomination Members, and had asked, if they were not all pledged and bound? To that question, his noble friend knew that many might answer in the negative; but supposing the point were conceded—and supposing it also to be conceded, that the electors, be they many, or be they few, who returned a Member, had a right, as they certainly had, to know a Candidate's general principles, and to demand his adherence to them—supposing all this, there was a wide distinction between their exercising such a right, and the conduct of some of the electors of London, in the case of an hon. Alderman (Mr. Alderman Thompson). Let him draw the attention of the Committee to that distinction. The hon. Alderman had pledged himself to support the Bill; but, in giving that pledge, was it to be understood that the hon. Alderman bound himself to support all the details of the Bill, let them be good or let them prove absurd? Surely not. From the pledge the hon. Alderman had not departed, in the vote complained of. That vote was not a party vote. The hon. Alderman had stated his reasons for giving it; and in giving it, he did not vote against the Bill, but against a part of the details of the Bill, which the hon. Alderman thought to be bad. The hon. Alderman, therefore, had not violated his pledge, but still he had been called upon, while Parliament was sitting—while he was acting judicially, and the proceedings were still pending, to give an explanation of his

conduct to a part of his constituents. He wished not to make any unkind remarks, either on the hon. Alderman in submitting to this interference, or on the conduct of those citizens who had practised it; but he wished to point out to the Committee the inconvenience and the danger of a popular jurisdiction being exercised over that House. And he must say, that if he had required any new proof to convince his mind of the impropriety of that part of the Bill which went to increase the number of popular Representatives returned by the Metropolis and its vicinity, he should have found that proof in this transaction. Could that House be called a deliberative Assembly, if every Member within the circulation of the morning journals was to be compelled, the day after he had given a vote, to account for that vote at a popular meeting, although the matter with which that vote was connected had not been concluded? and yet such was to be the Representative system under the Bill of his noble friend. It might be a system of real and not virtual Representation, but it would never furnish a deliberative assembly. He respected the voice of the people; he knew, that that House emanated from the people, and existed for the benefit of the people; but he could never consent—his duty would not allow him—to consider the sovereignty of the people so complete and unrestricted, that their mere will was, on all occasions, to be the guide of that House. The Members of that House were sent there by the people. He did not call the people either entirely the mob or the 10^l. householders—he included all ranks and conditions; but there could be no deliberation, if all they were to do was, to know what was the will of the people, and to execute it. He could not avoid making these observations, for he thought that so recent and so strong an example could not be passed over. He could not agree with the noble Lord, that no allusion ought to be made to the subject. On the contrary, he thought it ought to be alluded to, as a warning to that House against giving sixteen Members to the places in the neighbourhood of the Metropolis, every one of whom, during the time that any great question was depending in that House, would be liable to be perpetually called to account before another deliberative assembly. Every parish, at least every parish within the reach of the morning journals, would contain

one of these deliberative assemblies, which would daily sit for the purpose of, every morning, calling the Member to account for the vote he had given the night before. He repeated, they were sent there by the people, but it was their duty to deliberate, and to act as judges only upon their own conscientious convictions. But if the doctrine of his noble friend was to be acted upon, their deliberative character was gone—that House would be overawed and superintended by another tribunal, and the institutions of the country, and the Throne itself, would be left at the mercy of popular error and irritation.

Mr. Alderman *Waithman* said, he had never heard more uncalled-for, and, he might add, more malevolent allusions, than those made to the members for the City of London. With all the correct notions of the hon. Gentlemen opposite, no one ever heard them deliver a sentiment in favour of the liberty of the people. Reflections had been made as to the manner in which the constituency of the City of London conducted itself on a late occasion; but he did not hesitate to state, that no man ever came into Parliament in a more honourable way than the four members for the City of London. When they came forward as candidates, they were called upon to give expression to their sentiments on the great question of Reform; and when they had stated their sentiments to be favourable to the Bill introduced by his Majesty's Ministers, and were returned upon that statement, their constituents had a right to watch their conduct, and to see, that they had one and all performed their duty, and fulfilled their engagements. The hon. Gentlemen opposite spoke highly of borough patrons, and vaunted that they had never received an order from any one with respect to their votes on any question. Could hon. Members, however, say, that they represented any thing but their own money, or the wishes of a patron? The members for the City of London were returned free of all expense. Could the hon. Member for Newtown say he had come in without expense? Would he be candid enough to say what he paid? The House did not want to hear, however, for it knew well enough. But the object of the present measure was, to put an end to those shameful and disgraceful practices, and to wipe out this blot from the Constitution. The hon. and learned Gentleman (Sir James Scarlett)

also thought fit to allude to the City of London. It was said, that those boroughs brought in men of talent, and great lawyers, into that House. With all the talent, however, the public opinion was against the boroughs, and none of the advocates of the system, gifted as they were, would venture to go before the constituency of the City of London, and oppose the Reform candidates. The hon. member for Newtown sometimes went to dinners in the City of London; but why did not he go to the hustings? Why did he not appear at the Common Hall, as well as at the London Tavern? The hon. Member well knew that, with his sentiments on the subject of Reform, he could make no way in the City of London, where the people had been petitioning for half a century in favour of Reform, and had determined to support no man who would not vote for it. It was matter of great surprise to him (Alderman *Waithman*) to hear a great whig lawyer who had always professed to act upon whig principles, utter sentiments that would have staggered all the great constitutional lawyers that had ever sat in that House. The hon. and learned Gentleman protested, truly, against the public voice, and against the practice of constituents calling Members to account. Why, it was the very essence of the Constitution, that there should be a sympathy and a corresponding feeling between the Representatives and the people. Mr. Burke had said, that it would be better to give way to the wildest enthusiasm of the people than not to sympathise with them. This great whig lawyer was seen every night voting in support of all the rotten boroughs, but he said nothing in support of the liberties of the people. He stated, that there were instances in which the nominees for those boroughs voted against the sentiments of their patron. There might be such a solitary instance, but if there were any such cases they were exceptions to the general rule. He would take leave to tell the hon. and learned Gentleman, that such conduct was considered very dishonourable. When a man was seated in that House by a patron of a borough, and no direct stipulation was made with him, but confidence placed in his principles, if he should vote directly in opposition to that patron and yet continue to hold his seat, it was, to say the least of it, a most dishonourable thing, and he had good authority for saying this,

for a noble Lord, who nominated some of the hon. Gentlemen opposite, had said, in another place, that if the nominee of a borough was disposed to vote against the patron who nominated him, as a man of honour, he was bound to resign his seat. The hon. and learned Gentleman would not surely have alluded to a solitary and disgraceful precedent of a man's holding his seat, and voting in contempt and defiance of his patron, and in violation of his own professed principles; but, had the hon. and learned Gentleman stopped there? for he it seems could "turn and turn, and yet go on;" had he not known an instance of a nominee not only thus voting in opposition to his whig patron, as well as in violation of his own principles, and retaining his seat, but afterwards coming into this House as the nominee of a tory patron, and opposing every measure for the reformation of abuses in the reformation of the representation, and throwing imputation upon those Members who were the representatives of a great and independent Constituency for the deference paid to their opinions. When the hon. and learned Gentleman stated a case respecting the members for the City of London, he stated a case that he did not understand, and plainly proved, that he ought not to speak without a brief; the facts were simply these: the members for the City of London, after an explicit avowal of their sentiments on this measure, were returned without expense. The electors of the City of London thought, that a very factious disposition had been shown by the Opposition, and that the object was to obstruct the Bill. Perhaps this was misconception, but it was out of doors the general feeling. It was also thought, that the proposition to call Counsel to the bar was a gross attempt to delay the Bill, and the hon. Alderman (Thompson) having voted for that proposition, his constituents called upon him to explain his vote. The hon. Alderman said, he had no intention to delay the Bill; and whether that explanation was good or not, he would not take upon him to determine, for he might say, "I am not my brother's keeper." The eyes of the public were on that House. The public saw their nights wasted in frivolous discussions, and a string of lawyers rising to oppose the Bill, who had no sympathy or connection with the people. Those Gentlemen talked of the rights of the Monarchy and the Peerage, and contended

that the Crown and the Aristocracy could not stand if there was a free House of Commons. To that he would answer, that if the Crown and the Aristocracy could not stand honestly, they ought not to stand at all. They would stand, however, on the surest base, when they stood upon the affections and love of the people. The King, the House of Lords, and the House of Commons, were the trustees of the people, more particularly the latter; and whatever the other branches of the Legislature might do, at all events the House of Commons ought to do the business of the people. The boroughmongers, however, had no sympathy with the people, but had loaded them with 800,000,000*l.* of debt, suspended the Habeas Corpus Act, and filled the Army and Navy and Offices of the State with their relations, to the third and fourth generations. This was what had roused the public indignation, and every discussion tended to open the eyes of the people more and more. The people would know from whom the unmerited and uncalled-for attack, made that evening, had sprung. It was from no Representative of the people, but from one who represented his own property, and sat for a paltry and contemptible borough, not having one house in it worth 10*l.* a-year. An hon. and learned Gentleman over the way, who was a nominee, was most pertinacious in his opposition, he threw himself into all manner of attitudes and distortions, and was full of the most melancholy presages

"'Twas sad by fits, by starts 'twas wild"—

there was, indeed, among them weeping and wailing and gnashing of teeth, and they mingled their tears with the waters of Babylon for the loss of the rotten boroughs. The people, however, would contend for their rights, and, to use the words of Lord Chatham, "they would perish in the glorious struggle, rather than give up one iota of the Constitution." The state of the country, until the late change, was appalling: it might be said that it was on the eve of a revolution, but it was saved by a popular Sovereign and an honest Ministry, who brought forward this Reform, by no means sweeping in its provisions—or if it swept away anything, it was only cobwebs and rubbish—as the best method of restoring confidence and re-establishing the Constitution. He had been quite sorry to see the desperate condition to which the right hon. Baronet had been reduced last night; he had

absolutely found himself in the melancholy plight of being the only laughter at his own stale joke. That he laughed at his own jokes was not perhaps so new; but that he should be the only laughter on this occasion was to be accounted for on the score of its frequent repetition. If talent could do any thing against the Reform Bill, there was surely enough among no less than thirty or forty lawyers who had been introduced into that House, not to represent the people, but by way of trade purchasing seats to obtain places and appointments. In fact, with most of them, it was a mere matter of trade; no man of common sense, if a lawyer, who had a little money to buy a seat, but knew he could forward his interests by such means, but to do this, even common sense was not always requisite. In the House, and out of the House, he would do his duty by contributing all in his power to the passing of the Bill, and to the removal of trifling difficulties so easily seized on the other side. He would maintain his post, division after division, as long as health and strength permitted, in order that the great objects of the measure might not be defeated by a factious Opposition.

Mr. *Sadler* felt himself called upon to make a few observations, in consequence of what had fallen from the noble Lord who had introduced this Bill, who had tauntingly alluded to some supposed pledges given by certain Members previously to their entering the House, and especially in opposition to this measure. He could assure the noble Lord who had put that question, that, as to himself, he had never been called upon to give an engagement, nor to express an opinion on any political measure, whatever, neither then nor since. He was as free to act according to the dictates of his conscience as any Member that ever sat in that House. There was no difference, however, he contended, between a man prostrating his opinion, and bowing down to the dictation of one individual or of one thousand. The man that did so, in either case, was totally unfit to legislate; and he was not the less fit, because his servility might be displayed in sacrificing his conscience to large numbers, which the noble Lord had declared to be the very worst constituency in any community. Such was the noble Lord's deliberate, recorded, and published opinion, and he might reconcile that as well as others of his previous principles,

with his present language and conduct as well as he could. He (Mr. *Sadler*) was not answerable for any such comparisons; on the contrary, he was rather for equal justice being done to all classes. Then he thought the term boroughmongering, which the noble Lord so frequently used, [*"No, No," from Lord John Russell.*] well then, corrupt patronage and nomination, came with a very ill grace from that noble Lord, when connected with certain facts of which the noble Lord could hardly be ignorant. The noble Lord sneered at the nomination of certain Dukes, and talked of corruption. Had he forgotten certain transactions recorded in a work which he and his colleague had obviously consulted in framing their new Constitution, he meant "*Oldfield's History of the Boroughs?*" It was there said, that a noble Duke, with whom the noble member for Devonshire was closely connected, had sold his "corrupt, unlawful, and scandalous influence," as it was now termed, in the borough of Camelford, for 32,000*l.*—a pretty good price, considering the number of 10*l.* houses it contained. That very influence the noble Lord was then engaged in destroying. Again, did the noble Lord, so deeply read in the history of these boroughs, know nothing of the sale of Okehampton, another condemned borough, of which, the father of his noble colleague, together with the aforesaid noble Duke, was a joint proprietor. The price, in this case, he believed, was about double the former. Now, who, he would ask, were the individuals deserving the opprobrious epithets? who were the real borough-mongers—those who thus bartered and sold their influence, now pronounced unlawful and infamous, for pecuniary considerations; or those who had always exercised that influence with a disinterested desire to promote the prosperity, and serve the cause of the country? If he had been a pecuniary gainer by such a transaction, he would have been inclined, before he demanded the disfranchisement of the borough, to have, like one to whom his party had been assimilated—he would, like Judas, have thrown down the pieces of money, after he had betrayed the innocent. What would be thought of a West-Indian proprietor, who should sell his degrading property in slaves at its utmost value, and then turn round at once, and boast of being a warm advocate for instant, unconditional emancipation? As

to these boroughs, at all events, there was no great merit or patriotism in persons crying out for the extinction of a property which they had previously taken care to dispossess themselves of, for a large pecuniary return. The noble Lord had laid it down, in his valuable work on the Constitution, that it was as great an iniquity to deal with the rights of the smallest borough, as with the rights of the Crown. The hon. Alderman, and other professed advocates of the poor, however, thought nothing now of personal rights. The only inquiry was, how many 10*l.* householders there were? There were many, however, whose rights were dear and valuable to them, and who did not occupy 10*l.* houses. The valuable exertion was not confined to the 10*l.* householders. The great majority—those who created all the property of the empire, and gave it its value when created, who fought the battles of the country on both elements, and who laid down their lives in its defence, were rarely inhabitants of 10*l.* houses. It was a great objection, in his mind, to the Bill, that whereas, under the existing system, the lowest class of society had Representatives in that House, under the new system they would be entirely deprived of those Representatives. He did not hold nomination to be the purest part of the system, but he held it to be necessary to maintain the balance of the Constitution. At all events, ancient privileges were about to be destroyed—privileges granted for valuable purposes; and he conceived that those privileges ought not to be taken away, unless as good a case could be shown for the disfranchisement, as was shown for the dismissal of the House of Stuart, in the reign of James the 2*nd*. Such was also the opinion of the noble Lord. Looking at the Bill altogether, he must say, that there was a great deal of injustice in it, that the stronger party prevailed over the weaker, and that, as to the continual accusations of corruption, made by those who might have been silent on that score, he might apply to it, with perfect fairness, the saying of the Latin Poet, "*Dat veniam corvis, vexat censura columbas.*" He should revert to the subject hereafter.

Mr. C. A. Pelham begged leave to call back the attention of the Committee to the real question before it—namely, whether the borough of Newtown should or should not stand part of schedule A. He did not think so small a borough as

this ought to send Members to Parliament. The time of the House had been too long wasted in irrelevant discussions, quite foreign from the subject.

Sir R. Peel agreed with the hon. Member as to the expediency of hon. Members confining themselves more than they had done to the immediate subject before the Committee, and not, like the hon. Alderman opposite, indulge in a meandering discourse, half prose, half poetry, touching the politics of the last fifty or sixty years, including the American and French revolutions, the Continental wars, the state of Ireland, and the National Debt. He, as well as the noble Lord, had the honour of being a constituent of the hon. Alderman, and must say, that such an oration would hardly be tolerated at their Common Hall. The hon. Alderman was in error, in supposing that they on the Opposition side of the House, felt disposed to taunt those hon. Members who had voted with them in their large minority of last night, though friendly to the principle of the Bill. By no means: he admired them for their high-minded conduct, and trusted, that in several other matters of detail, the Opposition would have the benefit of their votes. It was not to be supposed, that because hon. Members had expressed their determination to support the principle of the Bill, that, therefore, they were tied down to its every detail, without the power of adopting or proposing such verbal amendments as might be necessary. If such were the case, there would be an end to their character as a deliberative body. He could not, as a Liveryman of the City of London, help regretting that his hon. friend opposite (Mr. Alderman Thompson), had not, in his late intercourse with a small party of his constituents, instead of entering into the unnecessary explanation he had made, in his usual manly manner addressed the Livery thus:—"Gentlemen, I have voted for the second reading of the Bill, and am still determined to support its principle, but I do not feel that I am, therefore, fettered so as not to exercise my own discretion with respect to its details." Had the hon. Alderman addressed the Livery thus, he was confident that, at the next election, the Livery would raise him to the head of the poll.

Colonel Sibthorp said, the hon. Alderman had said, every discussion on this measure opened the eyes of the public: he

perfectly agreed with him, and was convinced, that the delusions and fallacies of the measure were becoming daily more notorious. He certainly was of opinion, that the Bill would be fatal to the existing institutions of the country. He did not represent so large a city as the worthy Alderman, but his constituents deserved all the praise of patriotism, and had sent as independent Members to the House as ever came from the Metropolis, although they might entertain opposite sentiments to those expressed by the worthy Alderman. The worthy Alderman had lauded his own constituents very much, and their propriety of demeanour was fully exhibited at a meeting last Wednesday, at which the hon. member for Middlesex presided. The hon. Member could not preserve order, and was even in some personal danger when he was compelled to vacate the Chair. The speeches there delivered, and the class of persons present, went to show that the radical supporters of the Bill hailed it but as a step to their ulterior purposes.

Mr. *Gillon* could not help complaining of the manner in which the time of the Committee was thus wasted in idle discussions of no public moment.

The question was then put and carried; "that Newtown stand part of schedule A."

The next question was, "that Orford (Suffolk) stand part of the schedule."

Mr. *Croker* considered the case of that borough far too important to allow it to be passed over without drawing the attention of the Committee to its peculiar circumstances. He thought, that the principle proposed by the hon. member for Montgomeryshire ought to be applied to this borough and to Aldeburgh. He admitted, that neither contained the number of inhabitants which the Bill stipulated as the qualification for Representation; but, as a matter of good policy, he thought it expedient to unite them so as to constitute one borough. Orford contained upwards of 1,700 inhabitants, and Aldeburgh more than 1,300; and the two towns were situated within three miles of each other, being separated only by an arm of the sea. And the officers of the Revenue, and of other departments of the public business, were in both towns the same persons. He thought the continuation of the Representation to these towns particularly expedient, in consequence of one important feature of the Bill, which had not yet

been sufficiently attended to. On examining the Bill, it appeared to him, that the noble Lord had laid a hand peculiarly heavy upon the Representation of the agricultural districts. He would not say, that the partiality was intended, but in effect the proposed system was exceedingly injurious to the agricultural interests. The number of the Representatives to be returned by the counties south of the Trent which were chiefly agricultural, was to be, by the Bill, ninety less than those counties returned at present; whereas the counties north of that river, which included the principal manufacturing districts, would gain by the Bill twenty or thirty Representatives. So that the preponderance of the manufacturing counties in the Representation would be increased by at least 110 Members. The county of Buckingham would lose five of the present number of its Representatives. Devonshire, which at present returned 24 Members, would, under the Bill, send but 16. Dorsetshire would have its Representation reduced from 28 to 8 Members; Kent, from 16 to 12; Lincoln, from 10 to 9; Hampshire, from 24 to 18; Norfolk, from 8 to 7; Northamptonshire, from 7 to 4; Oxford, from 6 to 2; Somersetshire, from 16 to 9; Surrey, from 12 to 5; Sussex, from 26 to 14; Suffolk, from 14 to 5; and Wilts, from 32 to 13. Whilst ninety Members were thus subtracted from the southern counties, he found that the northern counties gained considerably, as the following statement (which he would read) would show:—Staffordshire, having at present 8 Representatives, would have 9; Warwick would have 6, instead of 4, the present number; Durham would have 6, instead of 2; Cheshire 5, instead of 2 (he begged the Committee to bear in mind, that he all along spoke only of the borough Representation in the several counties); Yorkshire, having now 28 Members, would retain that number without diminution. Now, he mentioned these particulars, to show, that the full tide of favour was set northwards. But while the Representation was thus carried from the southern to the northern counties, the increase of the Representation in the one, and its diminution in the other, were totally independent of any regard to the proportion of their population. He was desirous that it should be clearly understood, that in advocating the case of Orford, his object was not to support that borough itself, but to defend

the landed interest. He would compare in more detail, the population of two or three counties with the alteration in their Representation, to show that the changes were altogether in favour of the manufacturing counties. According to the census of 1821, the county of Suffolk contained 270,000 inhabitants, and returned to Parliament fourteen Members for boroughs. Of those Members, the majority were connected with, or representatives of, the land. But now the landed interest of that great county was to be deprived of nine Members, retaining only five Members for the boroughs of Bury St. Edmund's and Ipswich, and the half-borough (as the Bill made it) of Sudbury. But what was the case of Durham? That county was not, by any means, so populous as Suffolk—having, indeed, only 207,700, that is, nearly 60,000 less than the latter county—and yet, whereas Suffolk was to lose nine Members, Durham was to gain five. In the same way, the great, indeed he might say, the metropolitan, county of Surrey—having a population of 338,900, and being one of the most thickly inhabited counties of England—was to be reduced in its Representation, from twelve to five Members; whilst, on the contrary, the county of Warwick, being inferior in population to Surrey by more than 100,000, was to have one Member more than the latter county. Now, if that disproportion were accidental—were referable to ancient prescription—or were the result of a long-continued course—it might be less objectionable. But when they were told, that this Bill was devised for the purpose of setting the Representation right, and of restoring it in a due proportion to the population, he thought it right to draw the attention of the Committee to those inconsistencies. Norfolk had a population of 344,000, and Stafford, of about 341,000—that is, three thousand less than the other. Under the old system of Representation they returned each eight Members. In that respect they were exactly alike. But the arrangement was now to be changed, so that one Member was to be taken from Norfolk, and bestowed upon Stafford, which would therefore have two Members more than the county which always exceeded it in population, and was before equal to it in Representation. Although that was not a very large change, it yet served, with the other cases he had mentioned, to show

that the tide of the new Representation was against the agricultural counties. In Yorkshire, Aldborough was permitted to retain a Representative, although it was a very poor town situated in a district populous in boroughs. Almost in its immediate neighbourhood were Knaresborough, Ripon, Malton, York, and Thirsk. While Aldborough in Suffolk, which was three times the size of Aldborough in Yorkshire, and had no borough nearer than Ipswich, 20 miles, and Bury and Sudbury, which is near 40 miles distant, were to be wholly disfranchised; and thus the whole north-eastern district of Suffolk, about 40 miles long, and near 30 miles wide, will be left without a member. He would not then renew the Debate as to the principles of the Bill, nor introduce to the House any fancies of his own; but he should content himself with submitting to the consideration of the Gentlemen connected with the agricultural districts, what he thought their interests required; and with assuring them, that he should take every opportunity of giving them his assistance.

Sir H. Bunbury did not think, that there could be shown any sufficient reasons for the union of the two boroughs (Orford and Aldeburgh). There was no close communication, and there was very little intercourse between them. They were separated, at full tide, by a broad expanse of sea, and at low water, by a broad expanse of mud. A great part of that expanse might sometimes be dry, but he (Sir H. Bunbury) had many a time attempted to cross from one town to the other, and never had found the passage practicable. As to the population, they were both declining fishing towns, but yet much frequented in the season for sea-bathing. In summer, therefore, there might be found a very respectable and numerous constituency, which he feared would be reduced to a very small one at an election in winter time. The right hon. Gentleman (Mr. Croker) had said, that the boroughs of Suffolk were necessary to represent the agricultural interests of that county. But he (Sir H. Bunbury) believed, that the members for the boroughs of Ipswich and Sudbury had never been persons connected with the landed interest. As to Aldeburgh, he could not say whether its Representatives had ever been other than persons connected with manufactures or commerce. To show, that the people themselves did not set much value upon the Re-

presentation which those boroughs afforded them, it was sufficient to say, that he had presented a petition from the borough now under discussion, praying that the present Reform Bill might be passed by that House.

Mr. Croker said, that the observations of his hon. and gallant friend opposite strengthened the case which he had endeavoured to lay before the House. The boroughs of Ipswich and Sudbury were not to be disfranchised; but as these places generally returned mercantile men as their Representatives, and as Aldeburgh and Orford generally returned persons connected with the landed interest, if the first were to be preserved and the latter to be disfranchised, it was clear, that the influence of the agricultural interest of the county of Suffolk must be almost annihilated. He certainly had omitted, and purposely omitted, from his statements, the increase which was made to the county Representation; but that did not alter the question, for there was in proportion as many Members added to the counties of the north, which were manufacturing, as to those of the south, which were agricultural. He was not so anxious to combine these two places into one borough, as to reserve to the county of Suffolk the power of returning another Member of the agricultural interest. He would, therefore, be content if the noble Lord would transfer to the thriving and populous town of Woodbridge the franchise which was taken from Aldeburgh and Orford, and thus preserve to that district of Suffolk, some small shew of the representation which it at present possessed.

Lord John Russell did not see any grounds for uniting these two boroughs. In the view which the right hon. Gentleman had just taken of the loss which he supposed this Bill would inflict on the agricultural interest, he had taken a partial view of its effect in several counties, instead of taking a general view of its operation all over the country. He ought to have recollected, that the agricultural interest would receive a great addition of weight from the large addition which had been made to the county Representation; for, owing to the elective franchise being conferred on the large towns, and to the circumstance of freeholders, who claimed a right, from their freeholds, to vote in those towns, being disqualified for voting for the same freeholds in counties, the county Representation would, in future, be placed in the agricultural inha-

bitants of villages, rather than in the inhabitants of the large manufacturing towns. The right hon. Member had said, that these small boroughs generally returned agricultural Members. Now that observation was another proof, that great wits had sometimes short memories; for it was not many evenings since he heard the right hon. Gentleman asserting, with unusual gravity, that one great advantage of these small boroughs was, that they opened to commercial men the road into that House. He could not allow the right hon. Gentleman to blow hot and cold at one breath.

Mr. Kilderbee:—My right hon. friend below me (Mr. Croker) has so fully explained, that he rested his proposition for a case of Aldeburgh and Orford, not upon their own merits, but entirely as a question of compensation to the county, as an agricultural body, for the votes it will lose by the disfranchisement of both these boroughs, that I will not say a word upon that point. The hon. Baronet, the member for the county, will, I am sure, admit, that I, from residing immediately in the neighbourhood, must be fully as well, if not better, acquainted with these places than he can be. The hon. Baronet has said, that Aldeburgh and Orford are divided by a muddy creek, and that the communication between them is by means of sandy lanes, at a distance of twelve miles. Now the Orford river can hardly be called a muddy creek, for it has deep water, not less than three fathoms at the lowest spring-tides up to Orford quay, and not less than two fathoms at low water up to Aldeburgh. There are from sixty to seventy vessels belonging to the three ports of Orford, Aldeburgh, and Snape, and the whole corn and coal trade of a very large district is carried on from these ports. There is a ferry, passable at all times of the tide, and the distance from Aldeburgh to Orford does not exceed by land three miles and-a-half. My hon. friend (Sir H. Bunbury) has also stated, that these boroughs have always been represented by Gentlemen not at all connected with the county of Suffolk, or with the landed interest. Now, I believe that they have invariably returned Gentlemen who have, upon all questions relating to the landed interest, voted in favour of it. I have had the honour of representing both these places in Parliament, and the hon. Baronet will hardly say, that I have no connexion with the county of Suffolk.

The question was put and carried, "that the borough of Orford stand part of schedule A."

The next borough on the list was Petersfield.

Colonel *Jolliffe* proposed, that as Petersfield was part of the parish of Beriton, and as the parish of Beriton contained more than 2,000 inhabitants, the elective franchise of the borough of Petersfield should be thrown into the parish of Beriton, and it should be suffered to return one Member. He could assure the noble Lord, that if he acceded to that proposition, he would deprive the present patron of all power over the borough. The right of electing the Members would then be placed in the hands of one of the most respectable constituencies in the county.

Lord *J. Russell* could not assent to such a proposition. The principle was, that no borough containing less than 2,000 inhabitants, by the census of 1821, should return Representatives. Such a population was not possessed by the borough of Petersfield.

Sir *W. Jolliffe* thought the proposition of his hon. friend a perfectly fair one. At the same time, he made no complaint against the Government, for the course which it had recommended, with regard to this borough, as the documents before them were calculated to mislead them. There was no such parish as Petersfield; but it ought to be considered as part of Beriton; and the population of the adjacent tithings, which were connected together, and formed one Hundred, should be taken together, in which case it ought to be allowed to send Members to that House.

Mr. *Goulburn* urged, that the borough had a fair right to be placed in schedule B, as it was most unjust that the inhabitants should suffer from the mistakes which had been made by their Mayor in the returns of the population.

Mr. *Carter* stated, that the freeholders of the adjacent tithings who had claimed a right of voting in 1820, found, that their votes were disallowed by an election Committee.

The question "that Petersfield stand part of schedule A" was carried.

The next borough on the list was Plympton, but on the Chairman's putting the question on that borough,

Mr. *Hunt* rose to move an adjournment, saying, that he understood the noble Lord

who filled the office of Chancellor of the Exchequer to have agreed that the further discussion of the question should be adjourned nightly at twelve o'clock.

Lord *Althorp* could not recollect, that he had ever pledged himself to any such arrangement, as the course, in his opinion, must prove highly inconvenient, and would very unnecessarily retard the progress of the public business. He, therefore, would by no means consent to so early an adjournment.

Sir *C. Wetherell* thought it was too much to expect Members to work from five o'clock until one in the morning.

The Chairman put the question on Plympton.

Lord *Valletort* referred to the statements contained in a petition presented yesterday by the hon. member for Plympton, from certain inhabitants of that borough, which he considered of such a nature as ought fairly to exempt it from disfranchisement. There were in Plympton 130 10^l. houses. The amount of assessed taxes paid by those who resided in that borough was very considerable, and the neighbourhood was remarkable for the respectability of its inhabitants. The borough of Plympton had, however, been inserted in schedule A, for the most preposterous reason that could well be imagined. And what was that reason? Why, because the borough happened to touch upon two parishes, each of which contained a church, one dedicated to one Saint, and the other to a different one, whereas, had there been only one church, the inhabitants would be permitted to send two Members to Parliament. Such were the ridiculous absurdities and egregious inconsistencies of this Bill, which had been thrust upon the House, and which the Members were to be bullied into passing. This was the Bill which was about to be forced upon the Legislature at the impudent dictation of an arbitrary Press, which, base as it was, had acquired such an ascendancy in the country that there was now no resisting it. He would beg leave to be permitted to read a single specimen of the species of democratic despotism to which he particularly alluded, and from this alone, the House might be sufficiently enabled to judge of the *animus* that actuated not merely the writer alone, but the party generally to which he belonged. The noble Lord then proceeded to quote as follows, the concluding paragraph of an editorial article

in *The Times* of Thursday:—"We confess—for why should Sir Robert have all the praise of candour to himself?—we do confess that Lord Althorp has more than once put us a little out of patience, by treating the public enemy with so much consideration. Lord Althorp, if he be the leader of the House of Commons, ought to lead, not merely the proceedings of the House, but the sentiments and judgments of the majority. His Lordship ought, therefore, to keep up a more lively spirit in his camp, by not being satisfied with dull defensive war: he ought to carry the fight into the adverse quarters. He ought never to repulse the borough-monger crew without attacking them in turn. Why not meet at ten o'clock in the morning? Why not force the disfranchisement of nomination boroughs in the lump, instead of strangling the reptiles by the tedious and troublesome process of succession?" [*cheers and laughter*] [The noble Lord observed, that he could see nothing laughable in the subject, and was quite at a loss to understand the joke which seemed to give hon. Members such entertainment.] "The majority, he continued, if he will but blood them a little, by closing instead of always skirmishing, are with him to any constitutional extent he pleases. The country is with him, the Press is with him, what does his Lordship fear?" There, then, was a precious sample of the bullying and bravado which had been put in requisition, with what success they all witnessed, for the purpose of carrying this monstrous and outrageous measure. He left it to the House to judge from the case before them, amongst others, how far it merited the praises which had been lavished on it.

Sir C. Wetherell asked Ministers, why they did not take the advice of their sagacious friend of the Press, and make a levy *en masse* for the massacre of the proscribed boroughs, seeing that they had a majority which would back them in that or anything else that they might think fit to propose. Why not throw the questions of justice and constitutional policy at once overboard, and proceed in the straightforward course recommended by their friend? One of the members for London had "inadvertently" paused to examine before he decided, and the consequence had been, that he was cited before an unconstitutional tribunal, and called to account for his breach of dis-

cipline. It behoved them, then, to abstain from all troublesome examination for the future, and act as their friend the editor had suggested.

Mr. Hume observed, that the majority, he had no doubt, would not object to cancel the remaining boroughs by a single vote: to them he was sure no proposition could well be more satisfactory.

Lord Valletort denied, that he had assented to such a course, merely because he read a public paper recommending it.

Sir G. Clerk said, he had no local knowledge of Plympton, but certainly expected an answer from the noble Lord opposite, in refutation of the objections already taken by the noble member for Lostwithiel.

An Hon. Member said, he was not surprised, that no Minister had risen to answer the noble Lord, because Plympton was in exactly the same predicament as Appleby, which the House had recently discussed at more than usual length, and decided for its disfranchisement. The influence of the Press, of which the noble Lord complained, was owing to the imperfect Representation of the people in that House, which had led them to consider the Press as their natural and most efficient Representative. Let the people be fairly represented, as they would be under the operation of this measure, and a Reformed Parliament would take into their own hands the enormous power which he acknowledged was at present exercised by the Press.

Lord J. Russell insisted, that the principle of the Bill applied equally to Plympton and to Appleby, and he would, therefore, retain the former as well as the latter borough in schedule A, both of them being, in his opinion, justly marked for disfranchisement.

Mr. C. Ross contended, that the borough had a right to retain one Member, for the limits of the borough were not accurately defined, and the whole parishes of which the borough made part, ought to be taken, when it would be found to contain more than 2,000 inhabitants, with a large number of 10*l.* householders, who paid a comparatively large sum in assessed taxes.

Lord John Russell said, the return stated that the male population in 1821 was 328; the number of houses 108; and an answer given to the third question in that return was, that the limits of the borough

were not accurately defined, but that, probably, the addition to the number of houses might be twenty, and the male inhabitants about forty; thus, making in the whole 128 houses, and 368 male inhabitants. Was this return so notoriously incorrect that it could not be acted on?

Lord *Valletort* could not say, it was so, but he had asserted, that in the borough and parishes together, a constituency might be formed, which ought to prevent the disfranchisement.

Mr. *C. Ross* had also argued, that out of the borough, including all the parish of Plympton-Maurice, and part of Plympton-St. Mary, the requisite number of 101. houses might be found, by including the whole of the latter parish, to make up a most respectable constituency.

Mr. *Croker* wished to know, as the borough of Malton had been allowed to retain its two parishes, why the same rule should not be followed with respect to Plympton.

Mr. *Stanley* said, that the question of the right hon. Gentleman put him in mind of the observation of *Fluellen*, "There is a river in Macedon, and there is also, moreover, a river at Monmouth—it is called Wye at Monmouth." The cases of the boroughs of Malton and Plympton were not at all parallel. In the former borough the two parishes were included in the town, but in Plympton the parishes were rural, and had nothing to do with the town.

Colonel *Sibthorp* was surprised at the tone of the Treasury benches, but they were supported by the Press. The interesting debates in the Reform Committee were not properly given in the public Press. The fact was, that the Press was corrupt—it was bought and paid for by the Government. What the Ministers and their "followers up" said, was given in detail, while all that was said on the other side was curtailed, misrepresented, misinterpreted, and (he believed, in his conscience, by the advice of the Ministers) suppressed from the public by the most nefarious practices.

Mr. *Robinson* said, did the hon. Member not know there were two sides in the Press as well as in that House, and if one party made a misstatement the opposite one corrected it?

The question "that the borough of Plympton stand part of schedule A," put and carried.

Lord Althorp moved, that the Chairman do report progress.—Agreed to.

The House resumed—the Committee to sit again on Tuesday.

QUEEN'S DOWER.] Lord Althorp moved the third reading of the Queen's Dower Bill.

Mr. *Hume* said, that the large unlimited allowance given to Prince Leopold, which he had recently so generously resigned, had caused much popular discontent, on the supposition that it would be spent abroad. In the provision made for Prince George of Cumberland, it was enacted, that the money should be paid only if the Prince resided in England. He thought that, in the arrangement of the Queen's Dowry, some respect ought to be had to the point whether the Queen were to reside in England, or marry again after the King's demise, and spend her money abroad. The sum granted was large, but not too much if she continued to reside here, and kept up her state and dignity, but the sum was altogether too much if she were to retire abroad, and receive it in a foreign country. He wished, therefore, to have a few words inserted in the Bill, to the effect that her Majesty should only continue to enjoy this immense dower so long as she continued to reside in this country.

Lord Althorp said, that with respect to Prince George, the provision was made only because it was deemed necessary that the Prince should have an English education. He did not think, that any limit, such as had been suggested ought to be made in the provision for her Majesty, or that the gift should be clogged with any conditions. There was no precedent for such a limitation in any former grants of dower to Queens, and he could not think of departing from the usual practice.

Mr. *Hume* trusted the noble Lord and the House would do him the justice to believe he meant nothing offensive in what he had suggested, to the illustrious person alluded to. It had not, however, originated with himself, and he would not press it against the sense of the House.

Lord *Ebrington* was as desirous as any hon. Member that such grants as that under consideration should be spent in this country, yet he could not agree to the suggestion of the hon. Gentleman. It would be unjust to clog this grant with conditions, connected as it was with the feelings of an illustrious person to whom they owed so much, and particularly as

there was no precedent for it in any former settlement of Dower. To make such a stipulation in the case of a Monarch who had given up nearly the whole of the hereditary revenue of the Crown, would be most ungracious.

Bill read a third time, and passed.

PUBLIC WORKS (IRELAND) BILL.] On the Motion, that the Committee on this Bill be deferred to Monday next,

Mr. *George Dawson* said, he wished to call the attention of Irish Members to this Bill. It was intended by it to establish a permanent body of Commissioners, with large salaries, to arrange and superintend the employment of 500,000*l.* to be expended in carrying on public Works in Ireland. Now, when they heard so much of economy, this, at least, was no proof of it, to pay large salaries for work which used to be done by unpaid Commissioners. He objected to the principle and detail of the Bill. If it was necessary to appoint Commissioners at all, it should be done annually; they would then be under the control of the House: but the present plan was, to insure patronage, and he should, therefore, feel it his duty to oppose the Bill, and shew what its real objects were.

Mr. *Stanley* must complain of the course pursued by the right hon. Gentleman, when the only question was, to postpone the consideration of the Bill to a future opportunity. The right hon. Gentleman had talked of large salaries, but no salaries were yet fixed, and the blank was to be filled up in the Committee. The Bill had for its object to abolish several Boards by which the business was badly done, and appoint one by which more work would be done, and at a less expense.

Mr. *George Dawson* should be prepared to show, at a proper time, that this was a job of the right hon. the member for Limerick.

Mr. *Hume* wished to know if any of the present Commissioners were to be continued, and the length of their services.

Mr. *Stanley* replied, one: some of the others were entitled to superannuation.

Mr. *George Dawson* wished to learn, which of the three Commissioners was to be continued? One had served thirty, another sixteen, and the third six years. He understood the last was to be retained, the least efficient of the whole.

Mr. *Stanley* regretted to hear that the Government with which the right hon. Gentle-

man had been connected, had appointed an efficient Commissioner only six years ago. He hoped those that were proposed to be now appointed, would be found capable.

Mr. *George Dawson* had not said inefficient, but the least efficient of the three. Committee deferred.

PUBLIC WORKS SALARIES (IRELAND).]

Mr. *Stanley* moved, that the House resolve itself into a Committee on granting Salaries to Officers carrying on Public Works in Ireland. The Speaker having left the Chair,

Mr. *Stanley* proposed the following Resolution—"That it is the opinion of this Committee, that provision be made out of the Consolidated Fund of Great Britain and Ireland, for the payment of salaries to the Commissioners of Public Works in Ireland."

Mr. *George Dawson* wished to know the amount of the salaries proposed to be given to the intended Commissioners. The object of the plan was to abolish several Boards of Works, and the Board of Inland Navigation in Ireland. Some of the Commissioners of these Boards would be entitled to superannuation, and it was no proof of economy to appoint new Officers to do the work which the present Commissioners were quite competent to perform. He wished also to have the salaries provided by an annual grant, and to know the exact amount the Commissioners were to receive.

Mr. *Stanley* said, it was proposed to give the first Commissioner 1,000*l.* a-year, and 600*l.* a-year to the other four. They were to devote their whole time to the public service. The gentleman intended for Chief Commissioner, held a high situation in the Engineer Corps, and he would give up that situation and salary upon being appointed to this.

Colonel *Sidhthorp* took the present opportunity to give notice, that in the Committee he should propose that these intended salaries be reduced one half.

Mr. *Robert Gordon* objected to the plan of making these appointments permanent; he preferred a limited period of seven or fourteen years, with a power of removal, if necessary.

Mr. *George Dawson* said, the Bill gave a power to appoint a secretary, engineers, clerks, and other officers, to the Commissioners; were the salaries to these persons also settled? It was said, a gentleman,

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who was a celebrated engineer, was to be first Commissioner; of course, therefore, there would be no occasion for sub-engineers. These Boards generally gave rise to jobs, and he was, therefore, anxious they should not be permanent, or the salaries paid when no duties were discharged. Suppose, that such high interest for the money to be lent should be demanded that no person would borrow it; was the State to be saddled in this case with the expense of this Board? He should be told, perhaps, that it would discharge the duties at present done by other Boards; but these Boards had no duties to perform.

Lord *Althorp* would take immediate measures to prevent such abuses from taking place.

Mr. *Hume* said, the noble Lord might not be in a situation to do so, and they must have some better security, to prevent such an abuse. He should, therefore, be happy to second the motion of his hon. friend, the member for Lincoln, to reduce these salaries one half.

Colonel *Sibthorp* objected to their proceeding further, as they were only in a Committee, *pro forma*.

Mr. *Stanley* observed, that it was intended that the salaries now paid to the Commissioners of Inland Navigation and the Board of Public Works should be stopped. These salaries were larger than those intended to be given to the proposed Board. And there was power given by this Bill to the Treasury to suspend the issuing of this money, if there was reason to believe it would not be attended with the expected results.

Sir *Robert Hart*y assured the House that the most beneficial results might be expected from this grant. It would, most likely, be called for from every quarter; and it would give a ten-fold return to the country.

Mr. *Maurice O'Connell* trusted there was no intention to give the retiring Commissioners any compensation, for nothing could have been more infamous than the manner in which they had squandered and divided the public money among themselves for the performance of very little duty.

Mr. *Robert Gordon* hoped to see all other Commissioners of Roads and Trusts following in the wake of the two Boards now to be broken up, for they had been a curse to the country.

Mr. *Ruthven* wished to know if it was intended to make any alteration in the Grand Jury Laws of Ireland. A revision of them was much wanted, and he hoped they would receive the attention of the right hon. Gentleman.

Mr. *Stanley*, in reply to the question of the hon. Gentleman, begged to state, that he had a Bill on the subject of the Irish Grand Juries ready for circulation. He feared he should not be able to introduce it this Session; but he would have it printed and widely circulated, and hoped early next Session to introduce it.

Resolution agreed to.

HOUSE OF LORDS,

Monday, July 25, 1831.

MINUTES.] Bills. Read a second time; the Church Building Acts Amendment, &c. The Lord Steward's Oaths Abolition. Committed; the Master of the Mint's Salary.

Petitions presented. By the Duke of *RICHMOND*, from James Hunter, for alterations in the Tithes Composition Bill.

BEER BILL.] The Bishop of *Bath and Wells* presented Petitions from Yeovil, and Wells and Stockport, praying for the repeal or alteration of the Beer Bill. In case it should not be thought proper to repeal the Bill, the right reverend Prelate suggested that the beer houses should be placed under certain regulations. He suggested that it should not be allowed to consume beer on the premises in the new beer houses, and that they should be placed under the superintendence of the Magistrates and Police. He supposed that there would be no serious objection to preventing the beer being consumed on the premises, as the noble and learned Lord had not proposed originally that the consumption on the premises should be allowed.

The Lord Chancellor would repeat what he had before stated, which was, that he had not originally proposed in his Bill to allow the consumption of the beer on the premises; but that he had given up his own opinion to that of the Committee, which had taken evidence on the point. He did not agree with the right reverend Prelate, that there would be no objection to put an end to the consumption of beer on the premises; on the contrary, he thought that this would be the principal point of difference. The Bill, however, as it at present stood, had not had a fair trial, and this being the case, it certainly was not fitting that it should be repealed or altered

in its principle for the present. But he had the satisfaction to inform their Lordships, that the noble Secretary of State for the Home Department had prepared a Bill on the subject to add some regulations, which, it was to be hoped, would remove all reasonable objections.

Lord *Teynham* cordially agreed with the noble Baron on the Woolsack, that permission to drink beer on the premises of the seller, was the very best part of the Bill, and if that clause was repealed, all the benefit and advantages of the measure to the labouring classes would be lost. There were, doubtless, imperfections in the Bill, and some evils arose from its operation; but the great advantage was, the certainty of the abolition of the injurious imposts on malt and hops, which it would effect at no distant day. He should decidedly oppose the repeal of the clause allowing beer to be drunk on the premises.

Lord *Bexley* was of opinion, that the Bill had been of the greatest advantage to the public, for the public had had the whole benefit of the reduction of the duty, which was not the case with respect to the repeal of the duty on leather. The amount of tax taken off was about 3,000,000*l.*; but owing to the reduction in the price of beer, the saving to the public was at least 5,000,000*l.* per annum. With respect to the consuming the beer on the premises, it had been the practice in Rome, previous to the time of Pius the 7th to consume the wines sold in the wine houses on the premises; but that Pope put an end to the practice, on account of some irregularities with which he conceived it to be attended; and by that act he made himself exceedingly unpopular. His successor altered the plan, and allowed the wine to be consumed on the premises; but in order to prevent any bad consequences from this indulgence, he added, by way of regulation, that there should be no seats on the premises; and consequently the possessors of these wine shops were obliged to remove all their seats, so that the guests who chose to drink their wine there, were forced to drink it standing. The result was, that the Pope was almost as unpopular on this account, as his predecessor Pope Pius had been.

The Petition laid on the Table.

HOUSE OF COMMONS,

Monday, July 25, 1831.

MINUTES.] Bills brought in. By Mr. GRATTAN, for the Improvement of the Administration of Justice (Ireland). Read a second time; the Lord Lieutenants' (Ireland); Embankments (Ireland).

Returns ordered. On the Motion of Mr. RUTHVEN, the quantity of Malt made and charged, with Duty in the half-years ending 5th April, 1830, and 10th October 1830:—On the Motion of Mr. MULLINS, of the amount of Vestry Assessments and Easter Offerings, in every Parish in Ireland, during Easter Week in the present year:—On the Motion of Mr. G. DAWSON, of the names of the Masters in Chancery retired upon Superannuation, allowances since November 1830, and the names of those appointed since that time.

Petitions presented. By Mr. HUNT, from the Working Classes of the Metropolis, for the Repeal of the Corn Laws; from the Labourers of Gedney (Lancaster), to Repeal all Taxes on the Necessaries of Life; from the National Union, Bethnal Green, for Universal Suffrage, Annual Parliaments, and Vote by Ballot. By Mr. LEADER, from the Inhabitants of Annan, to introduce Poor Laws into Ireland. By Mr. GRANBY CALCRAFT, from Wareham, to return one Member to Parliament. By Mr. GRATTAN, from Members of the Irish Bar, to reduce the Stamp Duties on Roman Catholics admitted to the freedom of Galway. By Mr. RUTHVEN, from the Corn and Malt Factors of Mark Lane, against the introduction of Molasses to Distilleries.

CORN LAWS.] Mr. *Hunt* presented a Petition from Oldham, Lancashire, for a total Repeal of the Corn-laws; and also from Blackburn, to the same effect. This latter petition was signed by nearly 10,000 of the working classes of that town. The petitioners stated, but this he thought was an exaggeration, that sixty millions of quarters of corn were consumed annually, and that the price was by the tax raised to the consumer, 20*s.* per quarter, costing the country annually 60,000,000*l.* They added, that by the effect of these laws, in crippling our foreign trade, the country lost 60,000,000*l.* additional. This was undoubtedly an overstatement, but still the consequences of these laws were very injurious. They crippled our foreign trade, and burthened the great mass of the community, they were contrary to the principles of justice and humanity, and sound commercial policy; they were oppressive in their direct burthen, and excited discontent, and were a source of grinding distress to the poor.

Sir *John Brydges* said, that the repeal of the Corn-laws would raise the price of corn, as well as ruin the agricultural interests. He was glad to find the hon. member for Preston had lowered his tone. It was an erroneous opinion, that our foreign trade was affected by the Corn-laws; but if it were, our foreign trade was not to be put in competition with the landed interest.

Colonel *Torrens* said, if the repeal of the Corn-laws would raise the price of corn, the landed Gentlemen would eagerly demand it.

Mr. *O'Connell* supported the prayer of the petition. He considered the Corn-laws a sacrifice of the poor to the rich; they were a drawback on the resources of the country. He thought the Irish trade would be benefitted by their abolition.

Mr. *Leader* said, that before they repealed the Corn-laws, they ought to take measures for the improvement of Ireland, as that country had nothing to depend on but its agriculture and its linen manufacture. If they did not do that, the free trade system would certainly ruin entirely that depressed and impoverished country.

Mr. *Wyse* should be prepared to show, when the time came, that the system of averages was greatly deceptive, as might be proved by referring to the returns of each large corn-market. The quantity of Irish corn introduced, was far greater than met the public eye. The result of the trickery was the introduction of foreign corn when, by the present laws, it ought to be excluded. Various complaints had been made of this, but no remedy had yet been devised. The protection to home-grown corn was a delicate question, which must soon be looked at; but one thing was certain, all interests had a right to, and would be benefitted by, fixed and well-defined laws.

Petition laid on the Table.

DISTRESS IN IRELAND.] Mr. *Leader* presented two Petitions, one from the Kelp-burners on the west coast of Ireland, complaining of the loss of 180,000*l.* by the reduction of the duty on barilla, and the other from Annan (Scotland) for the introduction of Poor-laws into Ireland. The petitioners were suffering very much, and unless something were done to encourage this manufacture, they and their distressed fellow-countrymen must again come forward and petition for relief next year. If nothing were done for the relief of the people of Ireland, that country must fall into anarchy, from which it would be very difficult to extricate it. He could assure the House, that Poor-laws and a national loan were now become necessary, to save that country from destruction. The hon. Member referred to several petitions for a Repeal of the Union, as a proof

of the dissatisfaction which prevailed, and particularly to a meeting held at Cork, at which the Chief Magistrate of that great commercial city presided, and at which a petition had been agreed to, to which he begged leave to call the attention of the House. That petition stated, and it should be remembered that it came from a loyal and a respectable community,

"Your petitioners cannot avoid expressing their conviction, that absentee landed proprietors, and a non-resident Legislature, are evils of undoubted magnitude—that Ireland has suffered, and still continues to suffer, from them—and that unless remedied or counteracted by a just and generous course of policy towards Ireland, the inhabitants of this country will be compelled to demand a revision of the Act of Union.

"Your petitioners have no desire to increase the soreness which, it would be uncan-did to deny, begins to be extensively felt in Ireland at the progressive increase of pauperism, and the breaking down of the middle and industrious classes; but your petitioners are bound to state, that neither ancient or modern history furnishes the instance of any country being able to bear, for a series of years, a constant drain of its resources. In every case in which it has been attempted, from the days of the Roman Empire down to the very recent case of Belgium, popular discontent has been engendered, and revolution has invariably followed."

He begged most earnestly, that the House would give ear to the prayer of these petitioners, for he could assure it, that nothing but a conviction that the Legislature was watching over their interests could keep the people quiet. In truth, ruin was making them unruly. The petition from the kelp-burners came from a portion of the population, which, not many years ago, were as well off as any in Ireland. It was known, from official returns, that the Irish fisheries gave employment to 60,000 seamen; and the kelp manufacture afforded employment, and gave also an income of 120,000*l.* a year to the coast population of the south and west of Ireland. But all the grants, bounties, patronage, and protection of every kind had been withdrawn from the Irish fisheries; and by the reduction of the duty on barilla, from 11*l.* to 2*l.* per ton, the coast population engaged in the kelp-trade, had become a prey to pauperism and famine. If either branch of industry had been preserved, the coast population might have been rescued from ruin; but when parsimony, frugality, and free-trade, simultaneously consigned both

branches of industry to instant destruction, the fallen and ruined fortunes of hundreds of thousands of industrious men, dependant on these branches of maritime industry, alarmed the best friends of Ireland. In 1827, the amount of kelp delivered in the port of Galway alone, was 7,000 tons, at 6*l.* per ton; in the present year only 700 tons could find a market, at 2*l.* a ton—a reduction in that one port, from 42,000*l.* to 1,400*l.* In 1827, in the Galway and Mayo districts, upwards of 21,000 tons were sold—price 6*l.* per ton, amount 126,000*l.* In the present year, the quantity which could obtain a market did not exceed 3,500 tons—amount 7,000*l.*; the price being, at present, only 2*l.* a ton. From this state of depression the petitioners prayed the House to relieve them. They asked for a grant to construct roads and make piers and harbours, so that they might again find work at sea, and use the weed they could no longer burn for manure. As to the Poor-laws, he would only say, that while the present mass of pauperism existed in Ireland, no man was safe, and he was filled with dismay at the scenes which had recently passed, and with apprehension for the future.

Colonel *Torrens* thought, that the time was come for a philosophical inquiry into the causes why Ireland had stood still—if she had not even gone back—while all other countries were advancing. The evils of Ireland arose partly, he believed, from the state of transition in which that country was now placed, and which had all been enhanced by the tremendous measure for returning to cash payments. The withdrawing of its issues by the Bank of Ireland, had had the effect of making a difference of twenty per cent in the exchange against Ireland. This was the result of a rash application of principles, sound in themselves, but which, from the manner of their application, only aggravated the evils they were intended to remedy. He thought, however, that the time was come, when a wise Government would adopt such remedial measures as were suitable to the state of that country, viz., to give employment to its agricultural population, and promote an extensive system of emigration.

Mr. *Grattan* was of opinion, that all the evils of Ireland arose from absenteeism, and if the landed gentry were to reside in Ireland, there might be some hopes of improving the country. He believed, that

the people of that country had never been better off than at present. He denied, that the change in the currency had affected Ireland, where paper money had continued in circulation, to the same extent as England, and felt himself also called upon to protest against the system of emigration, encouraging which had deluded both the Government and the people. He was not averse from emigration, but it must be free and voluntary, undertaken by individuals, not the result of a scheme of the Government. He hoped the landed gentlemen would go to Ireland to reside, and share the duties which now fell so seriously on those who did reside there. He admitted, that confusion and anarchy prevailed in Ireland to a great extent, and as he expected much good from the measure to be proposed by the hon. member for Aldborough (Mr. *Sadler*), he hoped the Government would see the propriety of allowing that measure to come before Parliament. For his part, he was persuaded that they must have Poor-laws for Ireland, or there never would be an end to the anarchy which now existed.

Sir *John Brydges* conceived, that many of the evils of Ireland arose from the people of that country not having a legal claim to relief. Thousands of the poor in that unhappy country would have perished but for the relief sent from England. They ought not to be dependent on charity for support, and in his opinion, a modified system of Poor-laws must be established to provide for those who were unable to provide for themselves.

Mr. *O'Connell* rose to make, he hoped, a very short speech. First, with reference to the petition, he must say, that it was not the reduction of the barilla duties which had injured the kelp manufacturers. He knew well, that the soap-boilers of Dublin had not for some time past used any kelp; and though the soap-boilers at Cork still used some, the quantity was small, and it was there going out of use. What had ruined the soap-trade of Ireland was the circumstance, that there was no Excise duty on it there, while in England there was such a duty. That duty was, however, remitted in a shape of drawback, and by a peculiar management, known to the soap-boilers, the drawback was made very much to exceed the duty, so that the Government gave a large bounty to the soap-boilers of England, to ruin the soap-boilers of Ireland. In fact, they were

encouraged by the laws to send large quantities of soap to Ireland: they undersold the Irish in their own markets, and that had ruined the soap-boilers and the kelp-burners of Ireland. Moreover, the soap-boiler got sixty-one days to pay the duty; the drawback was paid immediately, and two months being sufficient to complete his manufacture, and send it to market, he was able to trade on the capital furnished by the Government, in the shape of the drawback. Misgovernment, then, had ruined the Irish manufacturers. The people of Ireland did not want treatises on political economy, and these were of no use to them, because there was one fact peculiar to Ireland which existed no where else, viz., the large mass of her landed proprietors owned estates elsewhere, and lived out of the country. It was the absentees who injured Ireland. A Roman Catholic Bishop had stated, and truly stated, that in his diocese eighteen out of twenty of the landed proprietors were living out of the country. That was a state which no introduction of capital could redeem. In fact, it was idle to talk of introducing capital into Ireland; Ireland did not want capital wherever any useful enterprises called for it. He would undertake himself to get, within a fortnight, in Dublin, 500,000*l.* on adequate security, if there was a chance of its being profitably invested, and he would undertake, in one month, to raise 1,000,000*l.* in Dublin for any gentleman who might want it for any useful purpose. It was not only the absentees who afflicted Ireland—the taxes levied on that country were all drawn from it, and spent out of it. The taxation of Ireland was altogether supposed to amount to 7,000,000*l.* This sum was made up of taxes acknowledged and taxes not acknowledged. The unacknowledged taxes were those paid upon articles consumed in Ireland, after undergoing Excise and Customs duties in England. Innumerable were these articles. They included not only tea, hops, sugar, wine, timber, coffee, molasses, dye-woods, spices, articles of dress, and implements of various kinds, but books, papers, cards, insurances, patent medicines, and even newspapers. English journals circulated extensively in Ireland. The readers, of course, paid the tax upon them, but it was credited to the English, and not the Irish revenue. Of the produce of all these taxes, not three millions were required for pur-

poses that could be called Irish, and certainly three millions were not spent in Ireland. The expenditure, such as it was, was annually decreasing. Nearly half a million had been saved within the last ten years on revenue collection alone. The grants for miscellaneous services were every year undergoing a reduction. There was a heavy pension-list, but the greater portion of the receipts went into the pockets of non-residents. Amongst other persons deriving from the money voted for Irish pensioners, as they were called, was the Princess of Hesse Homberg. A large sum was voted for military purposes, but a great deal of it went into the pockets of English clothiers, accoutrement makers, and horse breeders. In short, the portion of the Irish taxation actually spent in Ireland was under 3,000,000*l.* Then a surplus of 4,000,000*l.* was drawn in one way or the other by England, and to this was to be added the absentee rents. Some estimated these rents at 3,000,000*l.*, others at 4,000,000*l.*; but supposing them to swell the tax drain to 7,000,000*l.*, which was clearly under the mark, that was enough to account for the impoverished state of Ireland. This drain had been going on for years. It was annually increasing, and the means of the country to resist it were yearly diminishing. The large expenditure and high prices of the war made compensation to the country, while the war lasted. The prices had fallen from fifty to 100 per cent; the expenditure on the army alone had been reduced to the extent of nearly 3,000,000*l.* It might be said, that to make up for fallen expenditure and reduced prices, there was the advantage of diminished taxation. Such was the case in England, but the very opposite was the case in Ireland. Strange as it might appear to some Gentlemen, it was not until the means of Ireland were greatly diminished, and were hourly diminishing, that it appeared wise to British financiers to “assimilate” the taxes of the two countries in all respects. In a debate on the state of Ireland in 1822, the late Lord Liverpool admitted the suffering of Ireland from an “excessive diminution of expenditure,” and yet since that period taxes had been imposed upon Ireland, which her people had not known before. Approaching the termination of the war, all the Excise duties on necessities or luxuries were raised to the British standard; seven or eight years after the war, all the Cus-

toms' duties were raised to the British standard. To be sure, there was a relief in respect to the assessed taxes, but that had been a good deal counterbalanced by taxes imposed. Ireland, then, was now nearly in the condition in which she was, as to the pressure of taxation, during the war, though it was the boast of the Minister, that the people of England had received a relief to the extent of two or three and thirty millions. What country could bear up against such a state of things? Now, too, the Ministers were doing away all the Boards—everything was to be taken away from Ireland, and she was to have nothing left but the privilege of sending all her wealth to England. As to the transition state which the hon. Member had spoken of, he could tell the House, if that were the cause of distress, it was not yet over. He had that day seen letters from Dublin, describing the failure of three wealthy houses, which no man could have possibly expected. He was ready to admit, that the Government should do something for Ireland; but—and he said it without any feelings of hostility to Government, to whose measures, as far as England was concerned, he gave due praise—as far as Ireland was concerned, all their measures had only tended to increase the ill-will among the different parties, and promote the frightful anarchy which prevailed. More virulence was now displayed than had been in existence for the last ten years. Blood had been shed, and all the angry feelings had been roused. He did not state this with a view to disturb the Government, but, in the discharge of his duty, he was bound to allude to these circumstances. There never was a Ministry so mistaken in their policy towards Ireland. No man who heard him could deny that a more deadly spirit of animosity existed at present in Ireland than for a long time past. What would the House think of it, when a Grand Jury gave as a toast—an incredible toast, which he would not have believed had his informants not been men of undoubted veracity—"Our feet on the necks of the Papists?" This Grand Jury had also drunk "The Yeomanry of Newtownbarry," with all the honours. This Grand Jury, too—he meant the Grand Jury of Carlow, for he would not mince the matter—had given "The 12th of July." Was that proper in men who were called upon to administer justice in the country? He would ask,

also, if the nephew of the noble Lord, whose agent Captain Graham was, ought to have been on the Grand Jury of Wexford? Ought Mr. Irving to be on that Grand Jury? Common decency forbade it. The Government had issued a proclamation to forbid Orange processions; but it had not succeeded in putting them down. He was informed by a gentleman, a Mr. Randle Kernan, a Barrister, that after this proclamation had been issued, several Magistrates had walked arm and arm in an Orange procession at Enniskillen. The mischief had begun, and something must be done to remedy it. The state of Ireland was frightful. To poverty, misery, and disease, was now added bloodshed. The Papists were making pikes, and the Yeomanry were sharpening their bayonets, and if nothing were done there would be much bloodshed. He had been applied to by the Catholic clergy to speak to the people, but what could he say? He could tell them to be tranquil, but he could not promise them anything as a means of keeping them so. The Government must do something. If the Magistrates became partizans, they must excite disrespect, and they ought to cease to be Magistrates. If such men were dismissed, in a short time tranquillity would be restored. He began by saying he wished to make only a short speech, and he had made a long one. He repeated, that he was not hostile to the Government; he would give it his support, admiring its conduct towards England. Towards Ireland it had yet done nothing good, however well it intended.

Mr. *Crampton* did not mean to go into the causes which had brought about the present state of Ireland; he only rose to object to hon. Members giving a highly-coloured, exaggerated, and distorted picture of the evils which existed in that country. He had received letters that day from Dublin, which, he was happy to say, announced the decrease of distress in the west of Ireland, and expressed a confident hope, that in a very short time there would be an abundance of provisions for the people. With respect to the assertions of the hon. and learned member for Kerry, on the subject of the organization of the Yeomanry, and the encouragement given to processions, he begged most distinctly to deny all such charges; and the best proof that they were unfounded was, that his hon. and learned friend had been unable to put his hand on a single instance of that

description, to justify his assertion. On the contrary, the Government had instituted a rigid inquiry into the conduct of all yeomanry officers with reference to these processions, and dismissed all who were known to have in any way taken part in them, or encouraged them. He had no wish to detain the House, but he felt himself bound to defend a Government which had, in a short space done more for Ireland than preceding Governments had done for years.

Sir *R. Bateson* expressed an earnest hope, that the Government would turn its attention to the affairs of Ireland, and endeavour to stop that rage for voluntary emigration which had in the last few years carried off 50,000 of the wealthiest, most intelligent, and most industrious, of the peasantry of the Province of Ulster. The consequence of the present state of things was, that all the valuable portion of the population were leaving the country, while the needy and the turbulent, whom they wished to get rid of, staid at home. He pressed this on the attention of the Government, and expressed a hope that measures would be taken to renew the Linen Act, which would expire in the month of September next.

Mr. *Lee* hoped the principles of free-trade would be extended to Ireland as well as to all other parts of the United Kingdom.

Petitions laid on the Table.

SPEECH OF THE KING OF THE FRENCH—BELGIAN FORTRESSES.] The Marquis of *Chandos* took that opportunity to ask the noble Lord opposite (Lord *Althorp*), a question respecting a very extraordinary statement contained in the Speech of the King of the French, which had that day been received. In that Speech his Majesty was made to declare, that “the King of the Belgians will not be a member of the German Confederation. The fortresses erected to threaten France, and not to protect Belgium, will be demolished.” He wished to know whether the Government of this country had been a party to the negotiation for the destruction of these fortresses, or whether the declarations contained in that Speech were to be taken as from an accredited source?

Lord *Althorp* said, although that was not the precise moment when a question of such a nature should have been put to him—the proceeding being one

which was, according to the rules of Debate, generally taken on going into a Committee of Supply—yet he had no objection to give an answer to the question of the noble Lord; but in so doing, he hoped the House would pardon him if he entered a little more into details than the mere fact of giving an answer might seem to require. The question of the disposal of the fortresses, it should be recollected, was not in his department: but he would, nevertheless, state all, consistent with not divulging the present state of the negotiations, which he knew on the subject. It must be admitted by every one, that unless the extensive fortifications erected as barriers against the attacks of the French on the side of Belgium, were properly garrisoned, they would be of no avail for the purposes for which they were kept up. Now, in the present state of Belgium, and under the government now placed over that country, it could not be expected that the Belgian would submit to the expense of maintaining a sufficient number of native troops to garrison these fortresses; and it was impossible to suppose, that the stipulations of the Treaty of 1815 could now be maintained so as to allow these fortresses to be still garrisoned by the troops of the different Powers who were interested in their maintenance. The question then was, whether it could be considered advantageous to any party to keep up such a line of frontier fortresses, with garrisons necessarily reduced so low, that in case of war, France could easily, if she made a rapid movement, seize and make them the base of her operations, so that instead of being a protection, they would prove a means of assaulting Belgium. In this view of the case it did not appear, that the keeping up of these fortresses was of so much importance as it had formerly been considered—and there was certainly now an agreement entered into, on the settlement of the affairs of Belgium, that a portion of these fortresses should be dismantled. It did appear to them, if Europe required a guarantee against the attacks of France, that the acknowledgment of the perfect neutrality of Belgium by France, in conjunction with all the great Powers, would be much more likely to secure their object than the keeping up a few weakly-garrisoned fortresses. He admitted, that all guarantees, unless the interests of nations were bound up in their support, must be

considered as little better than waste paper ; but in this case he believed it would be found that the interests of all parties would be consulted by the arrangement. He was sure it would be for the interests of England and the other Powers of Europe, that Belgium should be a neutral State ; and it must be the interest of France to feel that a part of her frontier was secure against the attacks of an enemy. With these views the Government had acted in the course of the negotiations, and although the result had been disclosed a little more suddenly than usual on such occasions, still he had no hesitation in stating at once, that the communication made by the King of the French was fully warranted, and that a part of these frontier fortresses were to be demolished.

The Marquis of *Chandos* :—Will the noble Lord say what part ?

Lord *Althorp* was not prepared to say what part, and indeed must decline stating anything further.

Mr. *George Robinson* observed, that this then, was the termination of all the arrangements made at the conclusion of the war. The Government of this country had expended all the sums it had received by way of indemnity from France on the repair of their fortresses, while the other Powers of Europe received their share to be applied to their own expenses, and yet he would venture to say, that the present Government of this country had not stipulated for the repayment of a single shilling of the money from France, now that France was to receive all the benefit arising from the dismantling. As far as the guarantee was concerned, he would say, that events would probably show, it was not worth more than so much waste paper.

Lord *Althorp* reminded the hon. Member, that the present Government was not answerable for the expenditure of which he complained.

FRENCH TRIUMPH IN PORTUGAL.] The Marquis of *Chandos* said, he wished further to know, whether there was any truth in the statement made in the Speech of the King of the French, that the tri-coloured flag floated over the walls of Lisbon ?

Lord *Althorp* could not answer that question, as he had had no opportunity of speaking with his right hon. friend, the First Lord of the Admiralty, on the subject. But the Speech of the King of the French

did not state, that the tri-coloured flag waved on the walls, but under the walls of Lisbon.

Lord *Stormont* asked the noble Lord (Lord *Althorp*), whether he would have any objection to allow some day to be set apart for the discussion of foreign politics. Events had taken place of so extraordinary a character, that notwithstanding the compromise which had been entered into with respect to the discussion of the Reform Bill, some day (whatever day the noble Lord might choose) ought to be devoted to their consideration.

Lord *Althorp* said, that Government could fix no day for the discussion, while the negotiations were pending ; but it was competent for any Gentleman to bring forward a motion on the subject.

Lord *Stormont* intimated his intention of doing so, for in his opinion, the question of Reform was of inferior importance at the present moment to our foreign relations.

Lord *John Russell* stated, there would be no objection on the part of Ministers to discuss foreign politics, whenever the noble Lord (Lord *Stormont*) should think proper to bring them under the consideration of the House ; and he had no doubt that his noble friend (Lord *Palmerston*), who had just entered the House, would be ready to give all the information on the subject which was consistent with his public duty. But his purpose in rising at present was to state—what, perhaps, would not be properly understood from the Speech of the King of the French, that the demolition of the fortresses was not to take place immediately, but was to be consequent on the recognition of the King of Belgium by all the principal Powers of Europe, and on some arrangement which were to be formed by them.

Colonel *Evans* quite agreed with the noble Lord (Lord *Althorp*) that the fortresses were too numerous and too large ; and he concurred in thinking, that it was the interest of the different Powers to preserve the neutrality of Belgium.

The petitions to be printed.

Lord *Althorp* moved, that the House resolve itself into a Committee of Supply.

Captain *W. Gordon* said, that in consequence of a paragraph which appeared in the Speech of the King of the French, he wished to know from the noble Lord (Viscount *Palmerston*) whether he had received any information of the French

squadron having forced a passage up the Tagus?

Viscount *Palmerston* said, that he had just received accounts from the English Ambassador at Paris, stating, that a telegraphic despatch had been received at Paris, containing information that the Commander of the French fleet had renewed the demands for satisfaction made by the French government, and that not having obtained the required satisfaction, the French fleet had entered the Tagus. A slight resistance was made by one of the forts, but when the accounts came away, the French fleet had entered the Tagus, and the government of Portugal had acceded to the demands of France.

The House then went into a Committee of

SUPPLY—CONSULS.] Mr. Spring Rice moved, that there be granted a sum of 112,195*l.*, to defray the charges of our Foreign Consuls abroad; and also of the Superannuation Allowances to retired British Consuls for the present year.

Mr. *George Robinson* wished to take the opportunity of making a few remarks on the merits of the former and the present system of appointing and paying our Foreign Consuls. Formerly the Consuls were mostly resident merchants at certain ports, and were paid by fees, which were in some instances, he admitted, improperly and arbitrarily demanded, to the manifest injury and dissatisfaction of our merchants trading thither. These situations had now for some years been filled by persons, expressly sent out for this purpose, at large salaries, to obviate the inconvenience of these enormous fees being occasionally exacted from our merchants and captains on arriving at these ports. The salaries of all these persons were much too large, and though the vote this year was less than last, he hoped it would be further reduced; and finally, that the old system of paying Consuls by fees would be re-adopted. These people could not now be got rid of, because the country must grant them a large retiring allowance. It was one of the worst evils of our present system, that plans were devised and carried into execution at a great expense, were found not to answer, and then the persons who had to execute them became a great burthen on the public. Another evil had arisen from that which had been intended to heal the evils complained of—

namely, that the naming of those Consuls became often a too-expensive species of job. What was the use of Consuls-general? They were generally ignorant of mercantile affairs, and were only known by enormous salaries and large retiring allowances. What had we to do with Consuls-general at Washington, at Paris, and Madrid, all being far distant, the latter several hundred miles, from the sea? Those sent to South America were far too well paid for the labour attached to their office. Yet he could find some excuse for their salaries, for they had to perform the functions of Ambassadors as well as Consuls. At the same time, the whole establishment was on much too magnificent a scale, and required revision. In most cases, the American Consuls were an overmatch for ours, where the interests of British trade were concerned, and yet they did not cost the tenth of the sum. He believed, however, that the present Government was well inclined to make reductions, and he was glad to see, that the Consul at Lisbon had now a salary of 600*l.* instead of 1,200*l.* a-year. He wished particularly to inquire, why the Consul at Madrid had not had his salary reduced to the same amount.

Viscount *Palmerston* observed, that having been but a short time in office, he could at present give little more explanation on this subject, than that the present Government was doing all in its power to moderate the expense to the public in this respect. He was at present engaged with the Vice-President of the Board of Trade, in attempting some improvements, which, he hoped, he should be able to submit next Session to the House. He begged also to remark, that there was this year a reduction of 9,000*l.* in the estimate, and that a greater reduction had preceded it in the last year. The saving to the public might either be effected by reducing the number of the appointments, which would be the most directly felt, or by appointing the payments of the Consuls' salary to be made for the most part by fees, at the several ports at which they were stationed. He had the pleasure to acquaint the hon. Member, that arrangements had been made for discontinuing altogether the appointment of a Consul-general at Washington.

Mr. *R. Gordon* contended, that great savings might be effected in this department. This was not a new question, and

ought not to come upon the noble Lord with surprise, for it had been discussed year after year in the Committees of Supply, and it appeared to be the general impression, that the whole of the consular system required revision. He had often complained of the enormous salaries given to Consuls-general. The noble Lord had been in office nine months, and he thought the department might be reformed in nine days.

Viscount *Palmerston* said, that doubtless his hon. friend, with his talents and promptness, might do what appeared to him so easy, with regard to the administration of the public business. For his own part, however, and with his own more limited capacity, he was unable to proceed at his hon. friend's rate of velocity.

Mr. *Robert Gordon* had no wish to provide the noble Lord with any scheme of improvement, he would rather refer him to the First Lord of the Admiralty. That right hon. Gentleman had a plan ready cut and dried. He told the noble Lord, that he must attend to the matter, and if he did not devise a better system, the House of Commons would. The money was now voted annually.

Mr. Alderman *Thompson* said, he was aware of the noble Lord's desire to diminish the expenditure, and at the same time to promote the commercial interests, and he relied fully that some measure would be devised by next Session to relieve the public from some part of the expense. He saw not the least use in keeping Consuls-general at Paris, Madrid, and Washington. Consuls, where actually wanted, should be paid by moderate salaries, and fees in proportion to the services they rendered to merchants.

Mr. *Spring Rice* said, that great caution and deliberation would be necessary, in making any change in the present regulations. It should be recollected, that this system had not been originated by his Majesty's Government, but had been forced upon it by the House of Commons. There was already a reduction in the vote, and great care must be taken in making a total alteration in a measure recommended by that House.

Sir *M. W. Ridley* said, that the present system had been recommended to the House by a Select Committee on the foreign trade. The merchants were now convinced, that a moderate and well-

regulated system of fees was the best mode of paying Consuls.

Mr. *Keith Douglas* observed, that persons had been appointed to those situations who were not the most competent to fill them. When Consuls were paid by fees, they were generally merchants; but since the alteration, persons have held these situations for the sake of the salaries, which were sufficient to maintain those officers in a suitable manner. A judicious system of fees would secure the proper discharge of the duties, and merchants who were better adapted for the situations than any other class of men, would be always found where they were required, and would discharge the duties with satisfaction to all parties.

Mr. *George Robinson* said, that if the present system were to be continued, in preference to the old one, it was certain that it must, at least, undergo considerable revision. The reduction this year did not amount to more than 3,500*l.* The Consuls-general at Paris and Madrid ought to be abolished. In South America, it was true, that the Consuls-general performed the duties of Ambassadors; but in the Brazils we had an Ambassador, as well as a Consul-general at Rio, with a salary of 2,500*l.* a-year. There was also a Consul at Maranham, with 1,000*l.* a-year—another at Pernambuco, and a third at Bahia, with the same salaries. Again, we had a resident at Buenos Ayres, with a large salary, and a Consul-general with 2,500*l.* a-year. The expenditure of the country for a series of years had been most lavish. We had Consuls in various parts of France, which were only visited by yachts. He did not wish to return precisely to the old system, but thought an improved plan might easily be devised, by which we might save 50,000*l.* a-year, and provide a much more efficient body of Consuls than we now possessed.

Sir *John Newport* was of opinion, that a combination of salary and fees, properly regulated, would be the most desirable plan. But if the House were determined to revert to the old system, the change ought not to be adopted without great consideration.

An *Hon. Member* said, the merchants generally wished to adopt a mixed system of payment, partly by fees, partly by salaries. Persons had been appointed, under the present regulations, who were ignorant of the duties of the office.

Sir George Rose thought, that if a scale of fees were established in every port, enforced by the authorities, the complaints would cease. Large fees had been charged for the most trifling services, which had led to the abolition of fees, and he agreed with other hon. Gentlemen in being convinced that Consuls ought to be paid partly by fees, having at the same time small fixed salaries.

Mr. Warburton conceived, that it would be well to reduce the salaries to about 300*l.*, as it would then be worth the while of merchants on the spot to accept those appointments, in addition to the profits of their business. If the salaries were large, they would be an object of patronage at the Treasury, and lead to the appointment of inefficient persons.

Mr. Robert Gordon said, Government had declared they had adopted the present system in compliance with the wishes of the House, but that was twelve years ago, and ought not to prevent them from now making desirable changes. He hoped to see a more satisfactory statement next year.

Viscount Palmerston admitted a change to be desirable, but the conversation of that evening would show, that great difference of opinion existed, both as to the extent it ought to go, and the mode in which it should be effected. The opinions were quite as various as the speakers, and that might satisfy his hon. friend, the member for Cricklade, that the subject was not so easily regulated as he supposed.

Vote agreed to.

SUPPLY—ARMY EXTRAORDINARIES, &c.] Mr. Spring Rice moved, that the sum of 550,000*l.* be granted to his Majesty to defray the extraordinary expenses of the Army for 1831.

Mr. Robert Gordon expected, that in future these expenses would be arranged into different classes: the salary of the Bishop of Barbadoes was formerly inserted in the vote for Army Extraordinaries.—Agreed to.

The sum of 393,043*l.* was voted for the Commissariat Department.

Mr. Spring Rice, in moving the vote for law expenses in Scotland, said, it was right he should state, that hitherto the charge had been paid out of the Excise and Customs duties levied in Scotland.—The sum of 39,835*l.* was accordingly granted to defray certain charges in Scot-

land, hitherto defrayed out of the revenue arising from the Excise and Customs duties.

SUPPLY—COLONIAL EXPENDITURE.] Mr. Spring Rice said, he would then proceed to the Colonial Votes. He moved that the sum of 2,940*l.* be granted to defray the charges of the Bahama islands.

Mr. George Robinson hoped the promises which had been given, relating to a Colonial Budget, would be fulfilled, and that the House might expect such a document to be placed before them. He wished to know when it was likely to be laid on the Table.

Lord Howick said, the preparation of such a document would require considerable time.

Colonel Davies said, the colonies of other countries yielded a surplus revenue, but our colonies were a source of expense. The whole subject ought to be investigated by a Committee of the House. The expenditure was so mixed and complicated that no other remedy would be effectual for reducing the expenses.

Mr. Robert Gordon thought the Crown Colonies were the most profuse. In Trinidad, 57,000*l.* had been raised, which would be spent by the Governor, without any control. This had been raised by severe exactions; and under the circumstances which had since occurred, ought to be remitted by a reduction of taxation. Instead of that, however, he heard it was to be applied to building a Government House.

Mr. George Robinson said, they ought to be acquainted with the amount of revenue raised in the colonies, before they were called upon to make good deficiencies. If, from the distance of the colonies, such an account could not be made up to the close of the preceding year, they ought to have it to the latest possible period.

Lord Howick said, he had been no party to a promise for a colonial budget, but he agreed in the opinion that the House ought to have the means of checking the colonial expenditure. At Trinidad, which had been alluded to, he trusted the expenses next year would be considerably reduced. There was a balance in the treasury of that island, but it did not possess a single office for the transaction of public business. Government was paying an exorbitant rent for house-room, and it

was considered the best economy to pay out the money in building the necessary offices.

Mr. *George Robinson* then must understand, that all the promises relating to a colonial budget were personal, and did not belong to the offices of those who made them.

Mr. *Spring Rice* had not heard of the promise until a few nights since, and he had then said, such an account should be furnished next year. Reductions, however, had been made; the vote for Nova Scotia was reduced nearly 4,000*l.* The salaries of various functionaries had been omitted, and the Treasury and Colonial Office were in constant communication, consulting on all possible reductions.

Mr. *George Robinson* said, that official promises ought to be recorded in office, and acted upon by the successors of those who made them.

Lord *Althorp* had never heard, he believed, any thing of such promise, and did not even understand the phrase Colonial Budget.

Mr. *Warburton* said, there had certainly been an understanding that the receipt and expenditure of each colony should be laid before them.

Mr. *Wilks* said, such a measure was necessary, and whether a promise had been made or not, it ought to be brought forward.

Mr. *Robert Gordon* said, agents for colonies were useless, and yet they received salaries of from 200 to 400*l.* a year. If any colony came into collision with the Government, they employed and paid their own agent.

Lord *Howick* said, that several of these offices had been abolished, such as those of the agents for Barbice and Grenada. The agents for New South Wales and Van Diemen's Land, must, however, be kept up, as they had important duties to do relating to convicts.

Vote agreed to.

SUPPLY—NOVA SCOTIA.] The next vote was the sum of 6,625*l.* to defray the charge of the Civil Establishment of Nova Scotia.

Mr. *George Robinson* said, he was glad to see instances of economy in various departments under this head. He hoped that, although no promise had been made, immediate measures would be adopted further to diminish the civil expenditure in

Nova Scotia; a colony which had shown its ability to afford 20,000*l.* to accomplish local improvements, and 5,000*l.* to defray the expenses arising from the improvement of the fisheries. He thought it but fair, at the same time that he expressed the hope of an abatement in the charge for the colony, to acknowledge the apparent determination of his Majesty's Ministers to carry the principle of retrenchment generally to a very advantageous extent.

Mr. *Keith Douglas* asked, if the Crown had not revenue in Nova Scotia which might be applied to the charges of civil government?

Lord *Howick* supposed quit rents for lands were alluded to, but it was found impossible to collect these, and many years were due.

Mr. *Warburton* asked, whether it was required, that Professors should sign the Thirty-nine Articles before they could be admitted into the college of Nova Scotia? That was the case in Upper Canada. The expenses of admission were also too great in that college. Nothing would tend to alienate the colonists more than these restrictions on religious opinions. If the Colonial Estimates were again brought forward before these distinctions were abolished, he should divide the House upon the question.

Resolution agreed to.

SUPPLY—BERMUDA.] 4,000*l.* to defray the charge of the Civil Establishment of the Island of Bermuda was proposed.

Mr. *George Robinson* called the attention of the Committee to the disproportionate salary of the Secretary of the Colony — disproportionate as compared with the salaries of the secretaries of colonies of larger extent; and the duties of which were, he supposed, of a heavier kind. The salary of the Colonial Secretary of Bermuda was 800*l.* a-year, while the salaries of those of other colonies did not amount to more than 500*l.* a-year each.

Lord *Howick* said, that the salary of the secretaries to the various colonies were as closely as possible proportioned to the weight and responsibility of the office. The Colonial Secretary of Bermuda united with that situation the office of private Secretary to the Governor, and the salary allowed to him struck the Government as not at all too high, considering the extent and variety of his labours. But the whole

establishment of that colony had yet to undergo revision.

Mr. *George Robinson* said, that the Secretary of that most horrible and pestilential colony, Sierra Leone, was allowed no more than 600*l.* a-year, while the Secretary of the island of Bermuda was considered entitled to 200*l.* a-year more. There certainly appeared to be no ground for giving to that individual a salary almost equal to that of the Governor.

Vote agreed to.

3,320*l.* to defray the charge of the Civil Establishment of Prince Edward's Island, for the year 1831, was also voted.

SUPPLY — NEWFOUNDLAND.] The sum of 11,261*l.* was then proposed for defraying the charge of the Civil Establishments of Newfoundland.

Mr. *George Robinson* opposed this motion. Newfoundland, it should be observed, had no local legislature: and a vote of 11,000*l.* was now called for in aid of revenues raised in that colony, not by the power of a local legislature, but by acts of that House. He contended, that money raised in Newfoundland by acts of the legislature here, ought to be accounted for to Parliament, just like any other vote of the public money. He now wished to call the attention of the Committee to the situation in which the hon. Gentleman opposite (Mr. Hyde Villiers), who filled the situation of agent for the island, stood at present. The island, he was bound to say, had not derived any benefit from that hon. Gentleman's exertions. He would here shortly give to the House a history of that appointment. Some years ago, the inhabitants of Newfoundland could only communicate with the Government through the medium of the Admiral who was placed on that station. They found, in consequence, that their interests were neglected, and that Government was not properly apprized of their situation. They therefore applied to Government, that they might themselves be allowed to appoint an agent. All they wanted was, a person who should be acquainted with the situation of the country, and who would, consequently, be enabled to place the situation of the colony in its true light before Government. But what did the Government do, in consequence of this application? They immediately appointed an agent themselves, with a salary to be paid out of the revenue of the colony. In the

observations which he was about to make, he meant nothing personal to the hon. Member, but having a large stake in Newfoundland; he would say to the hon. Member, that he had never given the slightest assistance to that colony. It was undoubtedly right that the hon. Member should not allow his duty with reference to Newfoundland to interfere with that which he owed to the interests of the country in general; but, assuredly, he ought not to be paid out of the revenue of the colony, when, upon various points, he took a view of the interests of Newfoundland totally different from that which was entertained by the inhabitants. He understood, that the hon. Member had now taken office under the Crown—that he had accepted a situation connected with the East Indies. He congratulated the hon. Member on having taken office, and he was convinced that he was extremely well calculated to render good service to any Government to which he might please to attach himself. But if he were placed in a situation which caused his duties to be of a conflicting nature, so that he was compelled, as agent, to take a view of certain matters adverse to the interest of the colony, out of whose revenues he was remunerated, he thought that he ought to feel himself obliged, in honour, to lay down that office. There was no colony better able to support a larger population than Newfoundland, if it had fair play; but, unfortunately, it never had had fair play. He was instructed by the inhabitants of Newfoundland to say, that if a local legislature were granted to them—which they were equally entitled to with the other North American colonies—they would never ask that House for another farthing. Such votes as the present were rendered necessary, by the refusal of the Government to give the inhabitants of the colony a just control over their own affairs. They had as strong claims to that control as any other of our Colonial States; for instance, Bermuda, which was not more than one-third as large, had a domestic legislature. In the present grant was included a sum of 30*l.* for the pension of Mrs. Westropp. He knew something of that lady's pension. Her husband had been sent out to the colony as Attorney-general, for which office he was found to be utterly unfit. He must say, in conclusion, that if no reason were given by the hon. member

for Bletchingly (Mr. Hyde Villiers) for the continuance of this salary to the agent for Newfoundland, he should move, as the only means open to him, that the vote be reduced by 300*l*.

Lord *Howick* said, he must complain that, when questions were asked, hon. Gentlemen should, without attending to the answers, go on debating those questions as if no answer had been given to them. He appealed to every hon. Gentleman present whether he had not, in answer to a question from the hon. member for Cricklade, stated, that when his hon. friend (the member for Bletchingly) accepted the office of Secretary to the Board of Trade, his hon. friend had intimated to the Treasury that he should no longer draw his salary as agent for Newfoundland. The hon. member for Worcester seemed to know a great deal about Newfoundland, but perhaps it had escaped the hon. member's knowledge, that the Chamber of Commerce at St. John's had sent a vote of thanks to his hon. friend, the member for Bletchingly, which vote was couched in the handsomest terms. In the face of this fact, the hon. member for Worcester came down to that House, and asked hon. Members to believe, upon his individual authority, that the hon. member for Bletchingly was a sinecurist, and that his services were rather hurtful than advantageous to the colony. With regard to the present estimate, he had already promised the House that, in the next Session, a regular statement of the whole expenditure should be laid before it. He did not think this a proper opportunity for entering upon the question of giving a local legislature to Newfoundland. He agreed, however, with the hon. Member, that the wealth and intelligence of these colonists entitled them to a more direct control over their affairs than they at present enjoyed; and he had no hesitation in saying, that to give them such control the Government was most anxious. This, however, was a matter of some difficulty, and required much consideration, because it would be extremely inconvenient and unjust to give to one part of the population a preponderance over the others. The way to avoid this was not yet apparent.

Mr. *G. Robinson* said, that he had not heard the answer of the noble Lord to the hon. member for Cricklade: if he had, he should not have made the observations he had made.

Lord *Howick* said, that the question and answer had occurred in a debate to which the hon. Member himself had given rise, and the hon. Member was in the House when the answer was given.

Mr. *Hyde Villiers* said, that it was hardly necessary he should say any thing after what had fallen from the noble Lord, only he did not choose to remain silent under the imputations which had been cast upon him by the hon. member for Worcester. He had considered himself as holding this office for the benefit of the colony, and with no other view whatsoever. The Chamber of Commerce being the only part of the population that acted in a corporate capacity, he had communicated with the members of the Chamber, and stated to them, that he did not wish to hold the office one moment after they should come to the opinion that his services were not beneficial to the colony. And what had the Chamber of Commerce done? Had they asked him to relinquish the office? On the contrary, in every report they had made they had acknowledged his services in the handsomest manner, and particularly by the recent vote of thanks to which his noble friend had alluded, but which was far too flattering for it to be becoming in him to do more than glance at. At the same time he was bound to admit, that there were some members of the colony who wished to see the hon. member for Worcester in this office, and perhaps the hon. member himself participated in that wish. He had only to add, as the noble Lord had already stated to the Committee, that he had declined to draw his salary any longer as agent for the colony.

Mr. *Hunt* thought, that as the hon. Gentleman had given up the salary, they ought to be benefitted by it, and that the vote ought to be reduced by 300*l*.

Mr. *George Robinson* repeated, that he had not before heard the statements which had now been made. The hon. member for Bletchingly, however, was mistaken if he thought that he (Mr. Robinson) was not aware of the vote of thanks from the Chamber of Commerce. The hon. Member might shake his head, but he could tell the hon. Member, that he had received from the Chamber of Commerce an account of all their proceedings; and further, that the Chamber of Commerce had acted, he might say, almost under his advice. He had not gone into all his

objections to this vote, one part of which—he meant the expense of the Government-house—would justify him in objecting to it altogether. He should now, after what had passed, and after the unsatisfactory nature of what had fallen from the noble Lord with regard to giving a local legislature to the colony, object to the vote altogether.

Mr. *Spring Rice* entreated the Committee to observe the course which the hon. member for Worcester had pursued; first, the hon. Member objected to the vote on account of a certain 300*l.*, and then he farther objected to it on account of the constitution of the colony. To the first objection the hon. Member had received, as he himself admitted, a complete and satisfactory answer. Then, as to the constitution of the colony, the hon. Member had received from his noble friend a frank admission, that the wealth and the intelligence of the colony had made it a matter of anxious consideration to give to Newfoundland a local legislature; but his noble friend had said, that this subject required time, because it was difficult to form such a plan as would prevent giving an undue preponderance to a particular part of the colony. Having received these answers, then what did the hon. member for Worcester do? Why, finding that his objection as to the 300*l.* fell to the ground, the hon. Member turned round, and said, that he would object to the vote altogether—to the whole vote—until the Government gave a new constitution to Newfoundland. Now surely a Committee of Supply was not the proper place wherein to discuss the nature of a new constitution for this colony; and such a course came, he must say, with a peculiarly bad grace from the hon. member for Worcester, who had given notice of a motion which would bring the whole subject under the consideration of the House. He did not deny that there were many objections to these Estimates, which he had before characterised as calculated to delude hon. Members, and to keep from the House the knowledge of the real amount and nature of the expenditure. The expenditure of the Government-house was a proof of this. The original estimate for that house, as agreed to by Parliament, was 8,778*l.* But what sum did the Committee suppose had actually been laid out upon the house? Why, the whole expenditure, exclusive of stores sent from England, was 30,158*l.*,

although the estimate had been only 8,778*l.* He said, that this was the amount of the expenditure, exclusive of stores sent from England. Now some of the hon. Gentlemen opposite knew a good deal about Newfoundland, and could, therefore, tell whether there was any stone in the colony. It was well known, that there was plenty, and hon. Members must be very much surprised to learn, that granite had been sent from England for building this house. He had no hesitation in saying, that such a house was quite unnecessary; but, even if it had been necessary, still the Government ought to have been applied to for permission to lay out such a sum of money upon a house, the cost of which, in the estimate laid before them, was put at 8,778*l.*, and not at 30,158*l.* Hon. Members would observe, by a Treasury Minute that had been laid upon the Table, that effectual means had been taken to guard against the recurrence of such a circumstance; that estimates of every work would be laid before the House previous to the work being undertaken; and that, in succeeding estimates, the House would have an opportunity of seeing whether the original estimates had been exceeded.

Mr. *Hunt* thought, that the hon. member for Worcester would have been justified in objecting to the vote after the pedantic speech of the noble Lord, had it not been done away by the effect of the explanation just given. He had no notion of Members of that House being schooled by school-boys.

Mr. *John Wood* wished to know how the 22,000*l.* more than the estimate was paid.

Mr. *Spring Rice* said, that was a proceeding not to be defended, and grew out of the bad arrangements of the Army Extraordinaries. Estimates, when exceeded, were paid for by Commissaries drawing bills, without specifying the particular services for which the money was required. Three classes of bills were drawn; first, those for bullion deposited abroad, which was matter of convenience, the Government losing nothing by the transaction; but it afforded a means of doing wrong, as the Government could not possibly know, when the bills were presented for payment, whether the bullion had been lodged, or not. Secondly, there were bills drawn on votes of supply; and, lastly, there were unauthorized bills, for

which no funds had been provided. It was this last description of bills which had permitted the abuse referred to, and which must be abolished, by not granting money without an estimate of expenditure. There were certain cases which could not be thus provided for, but the Army Extraordinaries were intended to meet these. It was the duty of Government to specify every expense that was possible, previously; and it was the duty of the House to call for explanations and details of the expenditure; and, if the House wished to have these details for the subject at present under consideration, the Government would have no objection to furnish them. This related to the past; for the future they would endeavour to reform the system.

Mr. *John Wood* said, he had thought, that what came out upon the Navy Estimates had been bad enough; but this affair of the Government-house at Newfoundland was much worse. In the case of the Navy Estimates, the money voted by Parliament to buy timber had been applied to building walls; but here was an expenditure, totally unauthorised by Parliament, defrayed by unauthorized bills. He hoped, that measures would be taken to prevent anything of the kind happening again, for he was sure, that a Reformed Parliament would impeach any Minister who should do the like.

Mr. *R. Gordon* said, that this proceeding shewed the propriety of the advice he had frequently given. He had often urged upon Government the adoption of a principle which he hoped his Majesty's present Ministers would act upon—namely, to propose the Estimates always a year in advance. That principle was the one which was followed in France, and if it had been adopted here, they would be now voting the Estimates for 1832, with which they could deal as they pleased in the way of retrenchment, instead of the Estimates before them, the greater portion of which had been already expended. It was impossible to refuse this vote, because the money had already been expended, and yet it was plain, if that were not the case, that the House would refuse its sanction to such a wasteful expenditure.

Sir *James Graham* said, that he fully concurred with his hon. friend as to the adoption of the principle to which he had alluded, and he was sure that his hon. friend would be glad to hear, that as far as

the Navy Estimates were concerned, that principle had been already acted upon to a great extent. He (Sir J. Graham) had, by means of the unappropriated balances, been enabled to carry on the service of the Navy up to the 1st of April without drawing on the Estimates of the current year; and he believed, that the Estimates for that department, voted in the present year, would defray all the charges up to April in the next year; and as the Estimates for the next year would be voted before the month of April, the House would then have the advantage which the hon. Member wished to secure to them—namely, that of having Estimates brought before them and voted previously to the expenditure of the sums named in those Estimates. He mentioned these circumstances to show that he continued now, on that side of the House, of the same opinion that he had been when on the other, and that as he had then supported the recommendation of the hon. Member, so he now endeavoured, as far as circumstances would permit him, to act upon it.

Mr. *Paget* hoped, that the promises given by the Ministers would be kept. He should be most happy to see their fulfilment. At the same time he was bound to acknowledge, that as far as he had observed the Ministers, their promises were made in good faith.

Mr. *Spring Rice* wished to prevent any misapprehension regarding this vote for the Government-house at Newfoundland. He had, undoubtedly, stated, that the original Estimate was 8,778*l.* and that the expenditure, exclusive of stores, was upwards of 30,000*l.* Of this sum, 18,124*l.* was taken by votes in the years 1828 and 1829; so that the sanction of Parliament had been already obtained to that extent. But the votes were not proposed until the money had been expended, and they objected to that principle. The whole cost of the House, including furniture, amounted to 38,175*l.*, shewing an excess over the sums voted, of above 20,000*l.* The explanation of this transaction would be furnished in the accounts to be produced.

Mr. *Wilks* thought the conduct of Ministers, in this instance, had been most praiseworthy.

Colonel *Sibthorp* must beg to see the promises performed, before he could eulogize the persons making them.

Mr. *Ruthven* considered the public under great obligations to the hon. mem-

ber for Worcester for calling the attention of the Committee to the subject of Newfoundland. He quite agreed with him in the propriety of giving a Legislative Assembly to that colony, which would tend to exalt the character of the colonists. He hoped, too, the Government would bring forward a Colonial Budget.

Mr. *George Robinson* hoped his suggestions would be attended to, and would not, therefore, divide the Committee.

Vote agreed to.

SUPPLY—SIERRA LEONE.] On the question that a sum of 9,730*l.* be granted to defray the expenses of the Civil Establishments at Sierra Leone,

Lord *Granville Somerset* wished to ask the noble Lord opposite, whether it was the intention of the Government to act upon the recommendation of the Committee, and remove the establishment from Sierra Leone to Fernando Po? and he also wished to know from the noble Lord, whether the late accounts of Fernando Po justified the expectations which had been formed of that establishment, with respect to its superior salubrity? If the appearance of the persons who had come to this country as witnesses upon this subject was to form the ground of judgment on this question, it seemed to him that it must be answered in the negative.

Lord *Howick* said, that the answers to these questions were, perhaps, difficult, on account of the circumstances under which these colonies were placed. It had been the intention of the Government to remove the establishment from Sierra Leone to the Island of Fernando Po, and to make the latter the seat of the mixed Commission. A beginning had been made, to remove the establishment; but after the preparations had been commenced, and some progress made in effecting the change, Spain had put in a claim to that island, and refused to abandon that claim except upon payment of a very large sum of money. According to the terms of the Act of Parliament, and according to the terms of the Treaty, the Court of mixed Commission could only sit in the British dominions. Now, the Island of Fernando Po could not be made a part of the British dominions, except upon the payment of the sum of 100,000*l.* The payment of such a sum was entirely out of the question, as the English only wanted such a quantity of land as would

be sufficient for the purpose of the mixed Commission sitting there. As Spain, at present, continued to assert her claim to this sum for the island, it was likely that the settlement of Fernando Po must be given up. He ought to add, that according to the late accounts, Fernando Po was not much better, as far as salubrity was concerned, than Sierra Leone. He hoped, that the excessive mortality at Sierra Leone, which had produced so strong a sensation in this country, would soon be avoided, by some arrangement, by which men of colour from the West-Indian Islands would be procured, of sufficient ability to fill the greater part, if not the whole, of the official situations in the colony.

Mr. *Keith Douglas* said, that the West-Indians had to complain of the continued existence of the foreign slave-trade. Notwithstanding the treaties that had for so many years existed on that subject, the foreign slave-trade was now greater than ever. France did not act up to her treaty; and the French, notwithstanding their repeated assurances, still continued to carry on that trade, in such a manner as defied any means to put it down. It was the intention of his hon. friend to bring the subject before the House, and direct the attention of the Government especially to it. He believed, that the whole matter depended upon the conduct of France. If that country would give us the mutual right of search, he was sure that the trade might easily be put down, and that a small squadron would be sufficient for that purpose. The establishment at Sierra Leone might then be abandoned, and the expense of completing that at Fernando Po would be unnecessary. Sierra Leone had been excessively expensive to the country. From the year 1807, when the place was first purchased by the Government, of the Company which had established itself there, up to the year 1824, a sum of no less than 2,268,000*l.* had been expended on the colony. From the year 1824 up to 1831, the expense was 1,082,000*l.* From the year 1807, up to 1824, the expense of the naval establishments kept up for that colony was 1,630,000*l.* The payments to Spain and Portugal amounted to 1,230,000*l.* The sums expended for the purchased captives amounted to 533,000*l.*; other incidental expenses came to 93,000*l.*; and the expense of Commissions was no less than

190,000*l.*—sums which, taken together, amounted to nearly eight millions. He trusted, that some steps would be taken by the Government for securing the observance of these treaties.

Sir *George Murray* said, that the situation of Fernando Po was more commodious than that of Sierra Leone, for many different purposes, but then there was difficulty in getting rid of Sierra Leone, and breaking up the establishment there. Unhappily, however, Fernando Po did not appear to be much more salubrious than the other settlement. Originally there had been one Spanish and one English Commission, each sitting on its own territory, and that had led to the formation of a mixed Commission. The difficulty then occurred to which the noble Lord had already alluded. Still, however, he did not think, that there would be any insuperable objection offered by Spain to some arrangement for the sitting of the mixed Commission at Fernando Po. He did not think, that Spain would persist in demanding so large a sum for her claim on that settlement, so that the only difficulty standing in the way, would be that of accommodating the treaty, so as to meet the views of both Governments. With respect to the mortality which, he admitted, had been terrible in Sierra Leone, he believed that it had been greater some years ago than it was at present. The diminution arose from the circumstance that more of the offices were now filled by men of colour, and there were fewer Europeans at the settlement than formerly. He thought that, by the plan which had been suggested, of introducing West-Indians into the colony, and appointing them to fill the offices, the extraordinary mortality might disappear. He wished to see the colony continued; for he looked to it as the best means for the introduction of civilization into Africa. He admitted, that the expenses connected with it had been enormous; and he agreed with the hon. Member who had preceded him, that the great cause of the continuance of the slave trade had been the want of all zealous co-operation on the part of France in putting it down.

Colonel *Torrens* said, that he had that day received letters which stated, that Fernando Po—now that the woods were partially cleared away, was becoming more healthy. He trusted, that the establishments might be kept up; for he believ-

ed, now, that the source of the Niger was discovered, they might be made useful for commercial purposes. In that way, too, they would aid in effecting the original object of their establishment; for, if commerce were introduced among the tribes of Africa, he believed, that the horrid practice of making war, in order to sell the captives, would be gradually extinguished. It was clear, that little could be done for the benefit of our West-Indian possessions, unless the foreign slave-trade was put down; for, while that existed, it was impossible for our colonies to compete in the market with the planters in colonies belonging to governments which permitted the slave-trade. Upon all these considerations, he must say, that he regretted this country was not to have permanent possession of Fernando Po.

Mr. *Hammersley* agreed with the hon. Gentleman in the expediency of retaining a settlement near the mouth of the Niger, but he believed, that Fernando Po would turn out to be a most unhealthy station. He had submitted a statement to the Government, tending to prove, that we might derive a trade of considerable importance from the Coast of Africa. We ought to endeavour to introduce commerce among the African tribes, as the best means of preventing the slave-trade they now carried on with the ships of different nations. He had produced a plan to the present Ministry for a system of reciprocity in commerce, which, if adopted, would put down the slave-trade better than all our ships on the station could do it.

An *Hon. Member* stated, that it would be impossible to put an end to the slave-trade, unless the right of search was conceded by the French Government. This nefarious traffic was still carried on, to an extent not generally known, by vessels sailing under the French flag.

Sir *J. Graham* agreed, that the mutual right of search was necessary, as the slave-trade was now carried on by Spanish vessels sheltering themselves under French colours, because search was not allowed by France, while it had been conceded by Spain. Every exertion should be made by the British Government to obtain from France a right of search, which he was confident, if granted, would be most effectual in putting an end to the slave-trade. Fernando Po had advantages as a naval station, but the island belonged to the King of Spain, who was willing we

should incur expenses in making a settlement, but refused to surrender his right of Sovereignty over the island.

Sir *Stratford Canning* heard, with great satisfaction, the observation which had just fallen from the First Lord of the Admiralty. He had suggested the expediency of renewing the treaty made with the American government four or five years ago, a treaty recognising the right of search, and which was approved of by the American Government; but, unfortunately, was not ratified by the Senate of the United States.

Resolution agreed to.

A sum not exceeding 4,000*l.* to defray the expenses of Forts at Cape Coast Castle, on the coast of Africa, was voted.

SUPPLY—PROPAGATION OF THE GOSPEL.] The next vote was, that a sum not exceeding 16,000*l.* be granted to defray the expenses of the Society for the Propagation of the Gospel in certain of his Majesty's colonies for the year 1831.

Mr. *Warburton* observed, that it was not his intention to divide the Committee on the vote, being aware that a large proportion, if not the whole, of the sum now called for was already due and expended. He was confident, however, that no vote could tend more to alienate the affections of the inhabitants of the colonies from the mother country than this had done, by voting so large a sum for the exclusive support of the Anglican Church, when, in many of the colonies, the great majority of the inhabitants were of a different religious persuasion. If a material reduction did not take place in this estimate, when it was next brought forward, he should certainly divide on it.

Mr. *Wilks* would second such a motion should it be made by the hon. member for Bridport. This vote created dissension and disunion in the colonies, instead of promoting affection to the mother country. The system pursued in Canada was deserving of the most serious attention. One-seventh of the whole territorial property was reserved exclusively and illiberally for the Clergy of the Established Church, three-fourths of the inhabitants being adverse to the doctrines of that Church. A College, too, had lately been established in Upper Canada, founded on exclusive and illiberal principles. Under such circumstances, he conceived, that the House was called on to oppose all grants that were intended ex-

clusively to benefit one sect and nourish intolerance.

Mr. *Labouchere* was anxious that the Resolution should not be passed until he had obtained from Government a distinct explanation, whether it was intended to propose a similar grant in future—in other words, whether Ministers were in favour of the principle of the grant. He admitted, that a sudden and large reduction of the vote would be attended with most injurious consequences to a number of highly respectable individuals, now receiving salaries, but thought that some notice of an intention to diminish the vote hereafter might be given. He also expressed his strong objections to the Clergy reserves, against which he had a petition to present, as well as against the College in Upper Canada, established on principles which prevented nine-tenths of the population from partaking of its advantages. He wished, therefore, to know—1. Whether the grant was in future to be persevered in? 2. Whether the Colonial Department intended to examine into the subject of the Clergy reserves? 3. Whether the Charter of the University of Upper Canada was under consideration, with a view to some change in it?

Mr. *Warburton* wished likewise to be informed, whether Ministers were not in possession of a memorial from the Bishop and Clergy of Quebec, praying, that the Clergy reserves might not be divided with the Church of Scotland? It had always been understood in that House, that the reserves should be divided between the Church of England and the Church of Scotland.

Lord *Althorp* said, that his Majesty's Government certainly did not defend this grant on principle; but the question was one of considerable difficulty, involving the whole Church Establishment, and the religious education of the people of the colonies. It was impossible, therefore, to take any sudden and unadvised step; at the same time, he fully admitted, that it was not fitting that this country should pay for supporting a Church Establishment in Canada. It was the intention of his Majesty's Government to reduce the grant, therefore, and to do away with it entirely as soon as possible. The question relating to the Clergy reserves was under consideration, but it was one on which he could give no pledge; and, as to the college established in Upper Canada, he could only

state, that it was also under consideration. He was not aware, that any representation had been made from the Clergy of Quebec on the subject to which the hon. member for Bridport's question referred.

Mr. *Hunt* said, it might astonish the new Members to hear, that this very grant had been opposed and discussed with great talent, last year, by the members of the present Ministry. It was then proposed, by way of amendment, that 8,000*l.* should be deducted from the grant at once, and that the other half should cease in 1831, or at this period. He held in his hand the names of the Minority of forty-six who voted for that Amendment, and he had only to state, that the first name was Lord Althorp, and the last Lord Howick. Fortified by the precedent then set, it was his (Mr. *Hunt's*) present intention to follow the example of his Majesty's Ministers, and he should conclude with moving, by way of Amendment, that half the grant should be reduced at once, and the remaining half in 1832. He was not intimately acquainted with the colonies, like some hon. Members, but he was acquainted with a clergyman, the Rev. Mr. Griffin, who had petitioned the House some years ago, and who had been sent out by the Society for Promoting the Gospel, as Rector of St. George's, Prince Edward's Island. From this Gentleman he (Mr. *Hunt*) derived more information as to the proceedings of the Society, than had come to the knowledge of either the present or the late Administration. The money necessary for carrying on the operations of the Society in the colonies was proposed to be raised by subscription, and the deficiency was to be made up by Parliament. Now he begged to call the attention of the Committee to the proportion voted by Parliament, and the whole sum "risen" by subscription [*laughter*]. It always afforded great amusement to Gentlemen when he (Mr. *Hunt*) made a mistake. When others made the most egregious grammatical errors, it only created a smile; but when he slipped there was a loud laugh, which proved, no doubt, how anxious they were to set him right. Since 1814, the sum collected in churches, by virtue of the King's Letter, for this Society, was 55,869*l.*; the sum raised by Subscription, 33,343*l.*, and the sum voted by Parliament, 203,088*l.* So much for the manner in which the funds of the Society were raised. And now for its practice;—when Mr. Griffin

was sent, with a salary of 200*l.* per annum, to Prince Edward's Island, he found there was neither a church nor a congregation, and he reported accordingly. He was told, that he must not make such reports, for that they were not satisfactory. Having reported the truth in the same way next year, he was removed to the district colony of Nova Scotia, and there a place was pointed out to him, where half-a-dozen boards were nailed together, and this building, which was filled with sheep, he was told was his church. Having reported this, Mr. Griffin, whose moral and religious character was unimpeached, was found not to be the tractable man which the Society wanted, and he was recalled; and for having stated those facts in his reports, he was so persecuted, that no Bishop would now give him a license to preach. In looking into the transactions of the Society, it appeared that Bishop Inglis had a salary of 2,400*l.* and Archdeacon Willis a salary of 1,700*l.*, and several other clergymen enjoyed very large salaries. The Society had two estates left to it, in the island of Barbadoes, containing 700 slaves, and the labour of those slaves, and the produce of the two estates, went to support a college for the education of the children of placemen and pensioners; and the principal of the college, the Rev. Mr. Pindar, had a salary of 1,000*l.* a year. Thus they found, that the labour of slaves was appropriated by this Society to inculcate the doctrines of the Christian religion. When such facts were stated, he asked, could the Committee think he was wrong in following the example set by his Majesty's Government last year, in proposing that the vote should now be reduced one-half, and that the whole should cease in 1832?

Lord *Howick* hoped the hon. member for Preston would keep his word, when the course followed last year, by persons now in office, was explained. He (Lord *Howick*, moved the amendment which the hon. Member alluded to, and now professed to follow. That amendment was moved, not with a view to an immediate reduction in the vote, which could not be carried into effect without great hardship to individuals, but to express the sense of the Committee, that the principle of the grant was wrong. The present Government admitted, that the principle was wrong, and his noble friend (the Chancellor of the Exchequer) pledged himself

that the grant should be reduced. If that pledge had been made last year by the right hon. Gentleman, then at the head of the Colonial Department, he (Lord Howick) would have withdrawn his amendment, as he hoped the hon. member for Preston would now do. There were a considerable number of clergymen, exemplary and excellent persons, employed by the Society, on the faith of this grant, upon salaries barely sufficient for their subsistence, and which it would be a cruel injustice to withdraw from them. All the Government could do was, not to sanction any new persons being sent out, and to call on the Society in future to defray its own expenses. The Society was a most useful and excellent one; and one great objection to the principle of the grant was, that it went to dry up the sources of private charity. He hoped, however, that the Committee would not sanction the amendment, as it would leave several clergymen in a state of destitution. In fact, a part of the money was already spent.

Mr. *R. Gordon* did not think the argument of the noble Lord (Lord Howick) satisfactory. The noble Lord had been eight months in office, and this vote ought to have been taken under consideration in that time, and some reduction made. This grant was objectionable, if upon no other ground, because the money was expended by an unauthorised and irresponsible body, and the reports of the Society proved, as he contended, that its own funds had been much mismanaged for five or six years. As an instance of the exclusive principle adopted, he need only state, that the Bishop of the Established Church in Nova Scotia had a salary of 2,000*l.* per annum, whilst the Presbyterian minister had only 75*l.* per annum; and yet the Presbyterians were to the persons professing the doctrines of the Church of England in that colony as three to one. He could not but hope, under all the circumstances, that some reduction would be made in the grant.

Mr. *Hunt* was quite satisfied, that no injury could arise to the clergymen of the Established Church by the reduction of this grant. The Church of England was too rich and too generous to suffer her clergy to want. In reply to what had been stated respecting the character of the clergy, he would only say, that if such was the fact, there was the less necessity for the vote.

Mr. *Briscoe* said, that after the candid and just statement of the noble Lord, no blame could be imputed to Government; he would, therefore, recommend the hon. member for Preston not to divide.

Sir *R. Inglis* justified the grant, because he thought it an imperative duty on Government to introduce the true principles of Christianity into every country we colonized. He did not think it judicious, therefore, to reduce the grant.

Colonel *Evans* would not object to the grant for this year, but he hoped, that an understanding would be come to, that it should be discontinued or reduced for the future.

Sir *J. M. Doyle* said, a rich benefice in Ireland was now vacant, and he did not see why 8,000*l.* should not be taken from that valuable See to make good the vote.

Mr. *R. Gordon* was ready to give up his opposition to the vote, if Ministers would agree to a Committee of Inquiry for the next year.

Mr. *Hunt* was ready to withdraw his Amendment, if the suggestion of the hon. member for Carlisle (Sir John Doyle) was acted on. The statements he had made rested on the assertions of the Rev. Mr. Griffin.

Mr. *Baring* thought the Committee could not in justice refuse the grant, as three-fourths of the year had already expired, and the colonies, therefore, had a right to it for that year. He must say, however, that he did not approve of such a mode of supporting Christianity. In the colonies, for which these large grants were made yearly for the propagation of the Gospel, the English Church was on the decline, while in the State of New York it was most thriving, where it was left entirely to its own merits. He would agree to the grant for this year, but hoped, that Government would come to some resolution for the gradual abolition of it.

The Committee divided:—For the original Motion 65; Against it 27—Majority 38.

List of the Noes.

Benett, J.	Ingilby, Sir W. A.
Blanckney, W.	Knight, R.
Dawson, A.	Lambert, H.
Dick, Q.	Lambert, J. S.
Dixon, J.	Mullins, F. W.
Doyle, Sir J. M.	Musgrave, Sir R.
Dundas, Hon. T.	Paget, T.
Gordon, R.	Power, R.
Grattan, J.	Sheil, R. L.

Thicknesse, R.	Williams, Sir J.
Walker, C. A.	Wood, J.
Warburton, H.	Wyse, T.
Watson, Hon. R.	TELLER.
Wilbraham, G.	Hunt, H.
Wilks, J.	

47,500*l.* for public stores at Van Diemen's Land, and 37,154*l.* for Fernando Po, were next voted.

SUPPLY—SWAN RIVER.] On the question being put, that a sum not exceeding 24,895*l.* be granted to defray the expenses of the Swan River establishment,

Mr. *Hunt* wished to know what were the latest accounts from that settlement, and whether it was likely to answer the expectation of Government?

Lord *Howick* said, the accounts received lately were more satisfactory.

An *Hon. Member* said, originally it was determined that the Governor should have no salary, but a grant of land. He saw, however, by these papers, that the Governor was to have a salary, and he wished to know how that was.

Lord *Howick* said, that Captain *Stirling*, who had planned the colony originally, went out on the condition that he should receive no salary unless it succeeded. His statements had turned out correct, the colony had succeeded, and he did not, therefore think the salary of 800*l.* too much.

Colonel *Torrens* thought, that every colony, even at its commencement, ought to support itself; and the House ought to impress upon the noble Lord and the Government the necessity of acting on such a principle. If this colony had been properly managed, an outlet might have been found for the superabundant population of Ireland, and means provided for diminishing the poor-rates in England.

Mr. *Baring* differed from the gallant Officer; the land of a new colony was worth nothing until it was cultivated, and the mother country must, in the first instance, incur expenses in settling it. After a colony had been some time established, the sale of land might assist in paying expenses. He heard of the flourishing state of the Swan River settlement, with much pleasure, and thought the Governor and planner of the colony fairly entitled to a salary of 800*l.* a-year.

Lord *Howick* said, in reply to what had been suggested by the gallant Officer (Colonel *Torrens*), that there was not much

chance of Government being able to set apart land for the purposes which the hon. Member recommended, because no one would give any consideration for it. After a colony had been established some time, the sale of land might become a valuable resource.

Mr. *Sadler* was decidedly opposed to the principle of the hon. and gallant Member. The first settlement of any country must necessarily be expensive, and the mother country, from a principle of policy, was bound to provide for the wants of the settlers till they could act for themselves. He must, at the same time, deny that labour was at all times redundant in this country.

Colonel *Torrens* did not agree with the hon. Member, for he believed, that we had a surplus population, and large sums of money had been offered to Government for their removal. Land was, undoubtedly, a drug in new colonies, but Government should take care no grants were made, and that no individual occupied the best parts of it, without paying for it, when it would cease to be a drug, and become valuable. The colony would be able to supply itself with such an increased quantity of labour as was required. This was the proper plan of colonization, which was calculated to relieve the country from its surplus population.

An *Hon. Member* thought, the gallant Officer would find it difficult to make out that we had a surplus rural population.

Mr. *Gisborne* inquired whether the Governor was to have a grant of land, or moderate salary? He thought the latter would be the best mode of payment; and he wished further to be informed, if he took out any stock or capital?

Lord *Howick* said, it was determined that the Governor should have a permanent salary, and it was included in the present vote. He was not aware of the amount of stock or capital taken out by the Governor, but had no doubt, as he was a gentleman of great intelligence, he did what was prudent and right.

Mr. *Hunt* considered Government had adopted a singular course with regard to this colony. If it succeeded, the Governor was to be remunerated for his services; but it now turned out, the settlement was so successful, that he was not only to have a salary, but a grant of land into the bargain. He was glad to hear this, for it differed from the published accounts, which described the settlers to be much distressed,

and leaving the colony for Van Diemen's Land. He did not believe, that this country had a great surplus population, and if it had, they could be employed much better here, than packed off to other countries. In harvest every man could find work, and more would be employed if they were to be had. Let the situation of the farmer be improved, take off a large proportion of the taxes, and there would be no surplus population. He quite agreed with the hon. member for Aldborough in his opinions on this all-important topic.

Mr. *Briscoe* said, the only way to ascertain the fact as to a surplus population was, to ascertain the amount of the labour and population in each parish, which could be done through the medium of the parish officers. If they had this data to go upon, surely they might devise some remedial measures.

Mr. *Western* agreed with the hon. Members as to the propriety of cultivating our waste lands, but it was in vain to hope, that any beneficial change of measures could be adopted until the surplus population was ascertained and disposed of.

Mr. *Benett* did not think there was much, if any, surplus population in the country; and what there was arose from the impediments thrown in the way of productive industry. We now imported, for example, 2,000,000 quarters of foreign wheat, which we could ourselves grow. There was no surplus rural population in harvest time, and the farmers always required the assistance of Irish labourers. At that season all might obtain employment. He agreed with the hon. member for Preston, that if taxes were removed from productive industry, we should have no surplus population, and might employ all our people at home. He believed the land yet untilld might easily be made productive, and to yield greater returns, in proportion to the quantity of seed put into the ground, than the land of these new colonies. It was an extraordinary fact, that capital could be sent abroad, where labour was scarce and high, and corn could be grown cheaper than here, owing to the pressure of taxation, and tithes. He thought, that this matter deserved the most patient investigation, for till the circumstance of America growing corn cheaper than we could was otherwise explained, he should attribute it wholly to our excessive burthens.

Mr. *Warburton* thought they were discussing a vote relating to a distant colony,

but they had got into all the abstruse questions of surplus population, taxes, and tithes. To leave all these, he wished to ask the noble Lord, if he could give any estimate of the amount which would be required for the colony next year, because it was necessary to set some limits to expenses of this kind.

Lord *Howick* was unable to give any precise answer to the question, but hoped the expenses would not be large. He had not meant to assert, as seemed to be understood by the hon. member for Preston, that the colony was exempt from the difficulties to which new settlements were always liable. There had been skirmishes with the natives, and many of the settlers had been disappointed, but others had succeeded well, and were satisfied.

Vote agreed to.

SUPPLY — RIDEAU CANAL.] Mr. *Spring Rice* said, that the last vote which he was about to propose was, for a grant of 296,000*l.* to complete the water communications in Canada. When the present Government came into office, they found estimates to a large amount for the Rideau Canal, and the works carrying on in Canada; and his noble friend, the Chancellor of the Exchequer, thought it proper to have these documents laid upon the Table, in order that the opinion of Parliament might be taken upon them. The papers were referred to a Select Committee; and the Select Committee, having investigated the matter, made a report which embodied the vote now asked.

On the Chairman putting the motion,

Mr. *Warburton* wished to know, whether any more information had been communicated to the present Government, as to the sum necessary to complete the works in question, than what the Committee who had recommended the grant, possessed?

Mr. *Spring Rice* said, that no additional information on that head had been received. He expressed regret, that the information which the former Government had in its possession had not been laid before Parliament, for if so, it would have been more satisfactory. The sums since voted for these works, amounted to about 1,000,000*l.* He found by a Minute, that in April, 1826, an estimate of 169,000*l.* was made, and an order given to proceed with the works, before any communication was made to Parliament.

Sir *H. Hardinge* said, in the absence of the late Under Colonial Secretary, who was now appointed to the Governorship of Ceylon, and under whom the vote complained of was recommended, no satisfactory explanation could be given. He was quite sure, however, that the Ordnance Department had acted in conformity to directions given from the Colonial office. He was sure, that the canal was of the highest importance to the welfare of the colony. The Ordnance Department had acted solely for the defence and the well-being of the colony; and he thought that the Colonial Department was in some degree warranted in their proceedings, from the great benefit, commercial as well as military, likely to ensue.

Mr. *George Robinson* complained, that although 1,049,000*l.* had been already expended on this canal, the work was still imperfect; and more money, it appeared, was still required, to erect defences against the probable incursions of the Indians. The whole expenditure, he could not help considering, under all the circumstances, to be a great misapplication of public money, for which his Majesty's late Government, in his opinion, were justly censurable.

Mr. *Labouchere* referred to the existing discontents in the Canadas, and also in Nova Scotia, to which he begged leave to call the attention of the King's Ministers, especially since he had been intrusted with a petition of considerable importance on the subject, which he would take an early opportunity of presenting to the House. The two branches of the Legislature, though the members of each were unanimous among themselves, he regretted to state, were diametrically opposed to one another; and the collision had occasioned so much political jarring and public disquiet, that it had become the indispensable duty of Parliament itself to interpose, by an exercise of its own vigorous authority, without further loss of time. The legislative assembly, he conceived, would never be a complete and satisfactory political body, until a spirit of full, free, and fair election should be effectually infused into the whole mass; and they ought to have either a Governor and a House of Assembly without an intermediate body, or, if they had the latter, it behoved them at once to introduce the principle of election, as Mr. Fox had originally proposed. The next point to which he wished to call the attention of the Committee was, that system by

which the Government party engrossed the whole of the offices and places at the disposal of the executive. Whether a man was popular or not, he was thrust into office provided he was connected with this little oligarchy. What would be thought in this country, if the Sovereign were to strain his prerogative, and have only what Ministers he liked, whether they were pleasing to the House and the country or not? The result would be, that the country would be in an uproar from one end to the other. Yet this mode of selecting public officers hostile to the feelings of the public, had been the practice in the Canadas for the last ten or fifteen years. He must, however, say, that the people of Canada, in spite of all these grievances, were attached to the British Government, and British connexion, but that was an additional reason why they should expect and obtain justice at our hands.

Sir *G. Murray* defended the system adopted towards the Canadas by the late Government. The whole of the works undertaken were, while they tended to strengthen British power in that quarter, also calculated for the great local advantage of the colonists. For his own part, he would say, that the policy of the Colonial Office was, to discourage, as much as possible, party dissensions. One great object which he had endeavoured to impress on the government in the Canadas was, to increase the members of the legislative council, by introducing into it a large number of efficient persons. It was also recommended that Government should be careful to avoid giving one part of the legislature a triumph over the other, which was the foundation of much discontent and heart-burnings in the colony. With respect to the expense of the Rideau canal, it was necessary, not only as a line of defence, but was of the first utility as it concerned the local advantages of the colony.

Colonel *Evans* said, that we should look to the Canadas as a possession on which we could not count permanently; and he did not see the policy of keeping up such a line of defence as was between the Upper and Lower Canadas.

Sir *G. Murray* said, that it would be impossible to retain the Lower Canada, if we lost the Upper. As to the expenditure, he must say, that none was directed by the Colonial Department directly. All expenditure of this kind received, in the first instance, the sanction of the Treasury.

Colonel *Evans* said, the difficulty of maintaining such a long line of defence would be very great.

Sir *G. Murray* replied, that the practicability of maintaining it had been tried and proved.

Mr. *Warburton* asked, whether there was any document in the Treasury to show that the Colonial Department was authorized to expend money on the Canadas without first applying to Parliament.

Mr. *Spring Rice* said, that there was no document to show, that what he considered the objectionable part of the grant had been sanctioned by the Treasury.

Mr. *Hunt* said, this line of defence ought to be left to the inhabitants to maintain; for if war took place with the United States, we were not likely to retain either of the Canadas. There had been some warmth in the discussion, about whether expending a million of money on a canal in Canada was a job or not. In a Reformed Parliament, some person would be made responsible for such acts, but now one party shifted the blame to the other. The House was referred from one officer to a second, then to a third, and so on. He had only to add, that if the Committee divided, he would vote against the grant.

The Motion that 296,000*l.* be granted for improving the water-communication between Montreal and the Ottawa to Kingston, and from Lake Erie to Lake Ontario, was carried.

SUPPLY—MILITIA.] Sir *H. Parnell* moved, that the sum of 351,360*l.* 5*s.* 1*d.* be granted to his Majesty, for defraying the charge of the Disembodied Militia of Great Britain and Ireland, for the year 1831.

Mr. *George Robinson* objected to voting so large a grant at so late an hour.

Mr. *Spring Rice* said, that of all the grants proposed, this was the least objectionable. It was not an estimate prepared by Government, but was taken on the Report of a Committee to which the several Estimates had been submitted.

Sir *H. Hardinge* said, that if hon. Members had no objections to the detail, the objection, if any, to the principle, could be better made on bringing up the report.

Mr. *Hunt* protested against any large grant being voted at that late hour. Instead of the Government economizing, they were expending the money on new schemes. What was the reason for this ?

Lord *Althorp* said, the disturbed state of the country made it necessary to call out the Militia this year.

Vote agreed to—House resumed.

PUBLIC WORKS (GREAT BRITAIN).] On the Motion of Lord *Althorp*, the House went into a Committee to consider of the propriety of issuing Exchequer Bills, to encourage Public Works in Great Britain.

The noble Lord stated, that the object was, to move that his Majesty be empowered to direct an issue of Exchequer Bills for carrying on public works in Great Britain. It was unnecessary for him to remind the Committee of the state in which a great part of England was placed towards the close of the last year, or to observe, that much of this arose from the distress which prevailed amongst the working classes. He was aware, that any measure such as that he was about to propose was only a slight palliative to the evils to which it was to be applied. It would require a much more extensive remedy to cure such evils as those of last year. It would require a revision of the state of the laws affecting the poor, in order to see whether they could guard against such disastrous consequences; but if they looked to the state of the Poor-laws, for it was by a careful revision of those laws that some effectual remedy might be devised, it would be found that an amelioration of those laws would, at the present moment, rather increase than diminish the pressure upon the people. He would not say, therefore, that Government were prepared with any such measure, seeing that its effect must be, to increase that pressure which was already felt so heavily. He was afraid, that if any alterations were made, they would take a wrong direction, and would rather tend to relax than strengthen the operation of those laws. Under these circumstances, it appeared to him, that the lesser evil would be, to advise that an issue of Exchequer Bills be made, to be granted in loans, for the purpose of carrying on public works in Great Britain. He would not say, that the whole sum proposed to be issued would be called for; but if they looked to the experience of former years, they would find, that there had always been a demand for such issues in times of difficulty, and that they had been productive of much public benefit. There were grants of this kind made in 1817 and

in 1823, and on each occasion with considerable advantage, where the money had been applied to proper objects. Where the aid of such grants had been resorted to, to promote private speculation, it had failed, and had tended to injure that class to which the parties belonged, as it only increased the evil of over-production. This, however, would not apply to the cases of roads and bridges, canals and rail-roads, by which public advantage would be derived, independently of the means of employment thus afforded to the labouring poor. The machinery for the application of such grants was already in existence, and his proposition was, to issue 1,000,000*l.* of Exchequer Bills, for the purpose of promoting such works as he had alluded to. It would, of course, be the object of the Commissioners to make such grants where the works were most necessary, always preferring those parts of the country where distress was known to exist. He knew it might be said, that where necessary works were to be carried on, money might be easily obtained on good security. That was true; but it was also known, that individuals were unwilling to embark their money or time in works which, however necessary, afforded a prospect of only a very small profit; but, by money advanced in this way, many useful works might be undertaken, with great advantage to the country. Experience had shown, that the public had not lost by such grants as this. Good security was always taken, and the money was repaid, and with rather more interest than could be obtained on Exchequer Bills in the market; but that was not the object: the great object was, to promote the public good by useful works, giving, at the same time, employment to the labouring classes in districts where distress might prevail. The noble Lord then moved, that his Majesty be enabled to direct Exchequer Bills, to an amount not exceeding 1,000,000*l.* to be issued to Commissioners in Great Britain, to be by them advanced, under certain regulations and restrictions, for the completion of works of a public nature, or for the encouragement of the fisheries, or for the employment of the poor in the parishes in Great Britain, on due security being given for the repayment of the sums so advanced, within a time to be limited.

Mr. Warburton said, on a former occasion, when a grant of Exchequer Bills

for a similar purpose to the present had been made, the money, when repaid, was carried to the general service of the country, instead of being applied to take up the securities on which the money had been raised. This was, in his opinion, improper; and the money, as repaid, should be employed in buying up Exchequer Bills.

Mr. George Robinson regretted to learn, that the noble Lord found the country to be not in a satisfactory condition. He would not object to the grant, for he thought it would do neither harm nor good.

Lord Althorp said, that the present proposition had the recommendation of giving relief, without interfering, in any degree, with the administration of the Poor-laws.

Mr. Paget said, the great cause of the existing evils was, the sudden abstraction of capital from the hands of the middling classes, caused by what was called Peel's Bill; and he thought, that neither the present measure nor any measure would do good, unless it was one which had the effect of increasing the capital which employed the labourers.

Vote agreed to.

SELECT VESTRIES (ENGLAND) BILL.]

Mr. Hobhouse moved for leave to bring in a Bill for the better regulation of Vestries in England.

Sir Thomas Fremantle regretted that he must oppose the Motion of the hon. member for Westminster, which was one of considerable interest, but likely to create much excitement, as did a former bill of this kind. It would be impossible that a measure introduced so late in the Session, could go through the House; and, during the recess, much agitation might prevail. He would, therefore, suggest the propriety of withdrawing the measure for the present.

Mr. Spring Rice thought the objection well founded; and recommended the hon. Member not to introduce his Bill in so small a House, and at so late a period of the Session.

Mr. Ridley Colborne agreed with the former hon. Gentleman, that there was reason to apprehend great excitement from the introduction of this measure, when it would be impossible to bring it to an issue. He hoped the Motion would not be persisted in.

Mr. Hobhouse was induced to bring forward this Bill, from the suggestions of those

who represented 700,000 people of the Metropolis, at the earliest opportunity. There did not appear any objection to the principle of the Bill; the objections were confined to the details. He trusted, therefore, that hon. Gentlemen would allow the Bill to be printed.

Mr. *Warburton* observed, the hon. Gentleman had given notice to bring in his Bill to-day, having waited to see what took place in the Committee up-stairs.

Sir *Thomas Fremantle* said, if the hon. Gentleman would fix to-morrow, he would not oppose the Motion.

Motion postponed'

HOUSE OF LORDS,

Tuesday, July 26, 1831.

MINUTES.] Bills. Read a second time; the Growth of Tobacco Prohibition (Ireland). Committed; the Lord Steward's Oaths Abolition. Read a third time; the Master of the Mint's Salary.

Returns ordered. On the Motion of Lord STRANGFORD, Copies of Representations from the Cape of Good Hope, respecting Wine Duties, and an account of the quantities of Cape and other Wines, remaining Duty paid on 5th January 1830, and 5th of January, 1831:—On the Motion of the Earl of ABERDEEN, the Duty paid on each description of Wine in 1829 and 1830; also an account of the quantity and value of all Imports from the Cape of Good Hope, from the Year ending 5th January, 1812, to the Year ending 5th of January, 1831, distinguishing each Year, and the several rates of Duty; also an account of the quantity of all sorts of Wine Imported for the last Fifteen Years, distinguishing each sort and year.

Petitions presented. By the Marquis of CLANRICARD, from Inhabitants and Occupiers of Land in Stow Sturton, Bransby, and Normanby, for a Commutation of Tithes. By Lord FARNHAM, from Clergy, Landowners, and Inhabitants of Killinchy, and from Inhabitants of Down, for continuing the Grant to the Kildare Street Society.

SPEECH OF THE KING OF THE FRENCH.] The Earl of *Aberdeen* rose, in pursuance of the notice he had given yesterday, to ask for some information from his Majesty's Ministers, with reference to one or two topics in the Speech of the King of the French on the opening of the French Chambers. That Speech contained matter to excite, at least, the surprise, of not only their Lordships, but of every man who had read it. For his own part, he confessed he had read it with astonishment, and his feelings were by no means mitigated by the manner, the tone, and the terms of this Speech, in which, to say the least, extraordinary matter was couched in most extraordinary language. There were two topics, in particular, touched upon in it of the utmost importance, so far as the interest and the honour of this country were concerned, and to them he was anxious to invite the attention of their

Lordships, with a view to obtaining some information from the King's Government; and these were, the present relations of France with Portugal, and the declaration respecting the Belgian fortresses. Their Lordships might recollect, that a short time since, he had taken it upon him to call the attention of the noble Earl opposite (Earl Grey) to the then existing relations between France and Portugal, particularly as they were affected by alleged grievances towards one or two individuals, natives of France, on the part of the Portuguese authorities, and the subsequent demand for redress by the French Government; the refusal to comply with which had led the French Government to make reprisals upon the subjects of Portugal, and capture their property. Without venturing to express an opinion on the merits of this demand, or the character of the alleged grievances, he had earnestly urged the noble Earl particularly to direct his attention to the numerous treaties between this country and Portugal, which bound us, in a manner, to the fortunes of that, our most ancient ally, with a strictness unparalleled in any other treaties between this and other States. On the faith of those binding treaties he had urged upon the noble Earl the paramount necessity of his employing all the influence of the English Government with foreign States, to avert the calamities which menaced our most ancient ally, and which could not fail to involve ourselves in difficulty and embarrassment. And what had been the result of his counsels? The Speech of the King of the French afforded an answer which too truly verified his forebodings; for it declared, that the Portuguese ships of war were in the hands of the French, and added, that "the tricoloured flag now floats under the walls of Lisbon." It might, perhaps, be matter of congratulation to the noble Earl that a French fleet should ride in triumph in the Tagus, but he was sure their Lordships and the country would not join in the exultation at seeing our most ancient ally thus at the mercy of the navy of France. And this brought him to his first question—namely, whether the noble Earl was then prepared to lay on their Lordships' Table such official documents as could explain the negotiations between Portugal and France, concerning the alleged grievances which had led to the result he had just specified; and between this country

and both those States, with a view to avert the calamity of war. The other topic of the Speech of the King of the French, on which he wished to obtain information was, if not more important to this country than that he had just alluded to, still more astounding. They were told, that the fortresses on the Belgian frontiers—at least, some of them—were about to be demolished—that is, that the barriers, in the erecting of which we had spent so much of our treasures and our blood, for the purpose of protecting the Belgian territory, were to be overthrown; and that henceforth the only security for the independence of the Netherlands would be, that derivable from their “neutrality being recognized by the great Powers, and above all, from the friendship of France.” This fortress-barrier, which had been erected according to solemn treaties, to which all the great Powers were parties, for the defence of the kingdom of Belgium, was then about to be prostrated in the dust. If so, they were abandoning their own solemn acts; and consequently, it was but fair to presume, had entered into new engagements, implying the abrogation of those treaties. He therefore was anxious to learn whether the noble Earl was then disposed to submit to their Lordships some explanation of the particular nature of these arrangements—that is to say, a copy of the Diplomatic Act by which the abolition of these fortresses was formally sanctioned. It was highly important, that the Legislature should be in possession of information on a matter of such importance to the national interests, and as it might be, the national honour—that it should clearly understand the ground on which the English Government had consented to the demolition of fortresses which, at such a tremendous cost, we had mainly contributed, fifteen years ago, to erect as a barrier defence of the Netherlands—fortresses, he repeated, which we at that time wisely considered essential to the safety of the Netherlands; and not, as the Speech of the King of France erroneously asserts, “to menace France,” instead of protecting Belgium. On these points he was anxious to obtain information.

Earl Grey did not rise to follow the noble Earl into the discussion he would fain provoke him into, because such a discussion, at that moment, while important negotiations on matters which it would necessarily involve, were still pending,

would be, to say the least, highly inexpedient. Neither the sarcasm, nor the implied sneer, of the noble Earl, should induce him to prematurely anticipate that discussion, or undertake the defence of his Majesty's Government for their conduct with reference to matters, he admitted, of great importance—but which he should be ready to vindicate whenever the noble Earl, or any body else in that House, would venture boldly to impugn it; they, of course, who would provoke the discussion, taking upon themselves the responsibility of the very serious consequences which it might occasion to the important negotiations then pending. With respect to the relations of Portugal with this country and France, to which the noble Earl had alluded, and on which he had founded—should he call it a question to, or an attack upon, Ministers?—all he could say by way of answer was, to repeat his former often, and explicitly expressed acknowledgments, of the force of the treaties which bind this country to Portugal. He admitted the binding force of these treaties, but would, at the same time, deny that they went so far as to oblige us to undertake the defence of Portugal against every aggression of a third Power, which she might have provoked by her own misconduct, and that, too, when the existing government of that country had not been recognized by the British Court—no, not even by the Administration of which the noble Earl himself had been a member. He repeated, that we were bound by treaty to protect the kingdom of Portugal against foreign aggression, but not when a third Power was only seeking redress for injuries wantonly inflicted by the Portuguese Government. The present, however, was not the time for discussing how far we were, or were not, bound to interpose between Portugal and the French arms. When the proper time arrived, he should be prepared to lay before their Lordships all the information necessary to elucidate the conduct of Ministers in the whole transaction, and to shew that that conduct had been actuated by an anxious desire to promote the best interests of the country. To produce that information at the present moment, would not only be premature and inconvenient, but most probably, during the pending negotiations between the parties interested, would be detrimental to the public service; and therefore he could not assent to

its production. "With respect," continued the noble Earl, "to the noble Earl's taunt, that it might be a subject of congratulation to me to hear that the French fleet rode triumphant in the Tagus, I will only say, that I fling back the imputation with disdain; and I tell the noble Earl, that neither he, nor any man in this House, or elsewhere, can be more anxious for the honour and interests of the country than I am. I will tell him more, that the circumstances of the present relations of Portugal with, not only England, but every other European State, have been to me a source of deep regret—not the less so that the present Administration had no share in their formation, and that they are the sole product of the injudicious policy of our predecessors." So much with reference to that part of the noble Earl's animadversions which applied to the relations of France with Portugal. With respect to the other question of the noble Earl—that referring to the declaration of the King of the French, that the fortresses on the Belgian frontier are partly to be demolished—his answer would be very brief. For reasons arising out of the consideration of the impropriety of premature discussions of matters still the subject of anxious negotiations, he would not then enter at length into an explanation of the grounds on which the King of the French had made this declaration to his Chambers; and would merely observe, that there was no man who looked at passing events with the prospective eye of a statesman, who did not feel convinced that it would be impossible—morally and physically impossible—after the separation of Holland and Belgium into two separate and independent kingdoms, that the fortresses of the latter could be kept up on their past footing;—that, in fact, the razing of some of these fortresses must be the necessary and inevitable consequences of the act of separation. But all this was matter for a more fitting occasion. At present the question was, whether he was prepared to lay before their Lordships such documents as would explain the character of the negotiations which led to the new arrangement of the Belgian fortresses? In answer to the question, he would merely say, that though he should, as he had stated, feel indisposed to produce prematurely documents referring to negotiations pending between two States, both our Allies, and should particularly

object to granting the particular document called for by the noble Earl; yet, anxious not to permit the noble Earl's question to go wholly unanswered, and to prevent misconceptions of the actual import of the King of France's Speech, he would read to their Lordships two documents, the contents of which must be new, if not interesting, to all of them, and which he had brought down with him in consequence of the noble Lord's notice, and which he thought would be satisfactory, so far, at least, as the unanimity of the great Powers of Europe, with respect to the demolition of the Belgian fortresses was concerned. The paper he held in his hand was a copy of the Resolution or Protocol of the Plenipotentiaries of Austria, Russia, and Prussia, as well as of this country, respecting the demolition; and he felt, that it was not improper for him to read it—otherwise, nothing would induce him to state its contents—in order to shew the unanimity of these Powers in the consultations on the subject. The Protocol was dated the 17th of April, and was, he repeated, signed by the accredited Representatives of the Courts of Austria, Russia, Prussia, and England. The noble Earl read the Protocol, from which it appeared, that after the most anxious investigation of the subject in all its bearings, and pursuant to the spirit which dictated the Protocol, signed by the same parties in January, 1831, and which determined upon the separation of the kingdom of the Netherlands, into the two separate kingdoms of Holland and Belgium,—“the Plenipotentiaries of the above-named Powers and Allies have come to the unanimous opinion, that the fortresses of the Belgian frontier are too numerous for the resources of the new kingdom; and, moreover, do not afford a security for its independence; and that, therefore, they will, immediately after the independence of the new kingdom of Belgium had been formally recognized by the States of Europe, enter into negotiations respecting the particular fortresses which it may be expedient to raze.” This clearly shewed, in the first place, the unanimity of the four great Powers in reference to the demolition of the Belgian fortresses, spoken of in the King of France's Speech; and it also showed—and this was important to bear in mind—that the proposition did not emanate with the French government. And it also showed, that the negotiations

respecting the particular fortresses to be razed, had, or rather would have—for they were not yet formally entered into—for their preliminary condition, the fact of the new King of Belgium being duly recognized by the great Powers of Europe, and the general peace being thereby secured. The four Powers having signed the Protocol he had just quoted, proceeded next to announce their determination to the King of the French, who had no share in the negotiation; and accordingly, a Letter, dated so recently as the 14th of the present month of July, was addressed to Prince Talleyrand on the subject, signed like the Protocol, “Esterhazy, Bulow, Lieven, and Palmerston.” The communication was to this effect:—the undersigned plenipotentiaries, being desirous to give further proofs of their earnest desire for the maintenance of peace, feel it their duty to communicate to your Excellency the annexed copy of protocol, and to inform your Excellency that the undersigned see no objection to giving to it the same validity as to the other acts of Congress. That Prince Talleyrand lost no time in forwarding this communication to his own Court, was evident from the circumstance of its being a prominent topic in the King of France’s Speech. He would not then permit himself to enter into an examination of the question, as to what fortresses should or should not be dismantled; or of the grounds of the determination of the Plenipotentiaries of the four great Powers with respect to the settlement of Belgium, because such investigation would be mischievously premature during pending negotiations. When the proper time arrived, he persuaded himself he should experience but little difficulty in showing that the policy pursued by Ministers, conjointly with their Allies, with respect to France and Belgium, was that most conducive to the interests of the country, and least derogatory from the honour of the British Throne.

The Duke of Wellington did not rise to embarrass Ministers in their pending negotiations, by a premature discussion of the subject matter of those negotiations, but to set the Government of this country, and himself personally, right in the eyes of the public with respect to that part of the Speech of the King of the French which applied to Belgium. Their Lordships were aware, that by the Treaty of peace of 1814, the kingdom of the

Netherlands was erected, and guaranteed in its independence; and they were, he believed, aware, that immediately after that Treaty had been ratified, it was arranged by the Ministers of his late Majesty and the King of the Netherlands, that a barrier defence of fortresses should be erected on the frontier of Belgium towards France at the expense of the two countries—that is, of England and of Holland. That defence was justly considered essential to the security of the North of Europe. By the subsequent Treaty of Paris, in 1815, the projected fortresses were approved of by the Sovereigns of Austria, Russia, and Prussia, who, moreover, contributed their just share of the expense of their erection; it being felt that all Europe had a common interest in the existence of such a barrier. By this means, these fortresses became the common property of all the States which had assisted in their erection; that is, of England, Holland, Austria, Russia and Prussia—and, therefore, could not be disposed of or dismantled, without the concurrent resolution of all five. France had no right to offer any suggestion with reference to them; for it was as a protection against her possible military aggression that they had been erected. The fortresses were maintained on the footing he had specified till the progress of the Revolution last year, led to the dismemberment of the kingdom of the Netherlands, established and guaranteed by the Treaties of 1814 and 1815. The parties to these treaties, were pledged to their maintenance; and as the peace of Europe was involved in that, the great Powers, parties to the treaties, had no alternative save the conferences held in London, in which the assistance of the French government to preserve the general peace was very naturally taken advantage of. So far he saw no matter for blame; and could not deny, that the preservation of the peace of Europe might have required the separation of Holland and Belgium, and the establishment of a new dynasty in the latter kingdom. He would moreover admit, that no single government had a right to guarantee to the King of Belgium the maintenance of the defence erected for the King of the Netherlands, and that any arrangement on this head should emanate from the original guaranteeing parties. But still he would maintain, that the last government which ought to make the Belgian fortresses

a matter of complaint, or even the subject of any suggestion not contemplated by the Allied Powers he had mentioned, was the government of France. Nay more, if these fortresses were meant to be what the French King termed them in his Speech, and which he most unqualifiedly denied—namely, fortresses “raised to menace France, and not to protect Belgium,”—he would maintain, that the proposition to raze all or any of them, ought not to emanate from the French government. It was not as a menace to France, but as a defence to the North of Europe against French aggression, that these fortresses had been originally erected; and if the declaration of the Allied Powers to guarantee the independence of Belgium could satisfy that country, *a fortiori* it ought to satisfy France, which alone had no right to call upon other States to effect the demolition of the barrier. The King of Belgium might, if he so thought fit, declare, that the expense of all the garrisons on his frontiers would press too heavily on the resources of his kingdom, and the other Powers, parties to the erection of the fortresses—that is, he repeated, to prevent mistake, England, Holland, Austria, Russia, and Prussia—might interpose; but the reason that would authorize their interference, entirely shut out France from any participation in it. He was therefore rejoiced to find, that four of the great Powers—the original parties to the Treaty—had alone considered the question of the expediency of dismantling some of the fortresses, and that France had no share whatever in the transaction. Indeed, the only regret he had on this head was, that Holland, the fifth party to the original Treaty, was not also consulted in the Protocol read by the noble Earl. The noble Duke then repeated, that the Belgian fortresses were originally designed as a barrier of defence for the North of Europe, and that, therefore, to remove them would be, to expose Belgium and the Continent of Europe to French aggression. It was absurd to talk of a “guarantee of neutrality,” being a valid security for the independence of the new kingdom. Those who had annexed Belgium to Holland in 1814, knew there could be no permanent guarantee, save what the means of warlike resistance afforded, and therefore assisted in erecting the frontier fortresses; and if the Netherlands, the two kingdoms, required this

barrier of defence, still more would the new kingdom, the smaller and weaker, require every external and internal security. These were his views, deliberately formed, of the proposed demolition,—views which he was anxious to state somewhat at length, and thus relieve the country and himself, who was a party to the original treaties, from the imputation cast upon them by the French King’s Speech, that the fortresses were erected with any other view than as a means of defence against the aggressions of France, and not as a menace of aggression on that country. The next point he wished to call the attention of the House to was, the present relations of Portugal with this country and France. He confessed, that he had listened to the imperfect observations of the noble Earl on this point with concern. He expected something more satisfactory respecting a country so long and closely allied to us as Portugal. When he had read that passage of the Speech of the King of the French, in which he triumphantly boasted, that the Portuguese ships of war were then in his power, and that the tri-coloured flag floated under the walls of Lisbon, he felt his cheek tinge with shame, as an English subject, that our most ancient and intimate ally should be so treated with our permission. He did not say this in his military capacity, from having served as an officer in the army of Portugal. The deeds, the glorious deeds, of the British army in Portugal were now the imperishable subject of history. As an Englishman who had read the history of the country, he felt regret and shame—indeed, he would say something like indignation—that the English Ministry had taken no active steps towards averting the recent calamity from the unfortunate country connected with us by so many ties through a long series of years. He had, on a former occasion, expressed a hope, that Ministers would interfere, as England was the most ancient and trusted ally of Portugal, in restoring an amicable intercourse between the Portuguese and the French governments; and that they would, on the one hand, urge upon the French Court that the trifling circumstance—for trifling it was as compared with the resentment—of two individuals being treated harshly by the legal authorities in the north of Portugal; for that, after all was the sum and substance of the alleged grievance—was not worth the mere expense of the

expedition which they had sent to obtain redress, apart from the consideration that their insisting, by force, to extort that redress was fraught with danger to good order and the social repose of Europe, and could not but be viewed with angry jealousy, in particular by the people of this country. And, on the other hand, he thought that Ministers should have remonstrated with our ancient ally, and urged the expediency of its at once granting the French just compensation for the grievance complained of, and thus saved Portugal from its present disorders. We ought to have acted thus by an ally, not only the most ancient we possessed, but the most ancient possessed by any country in the world. From that alliance Portugal had hitherto derived great advantages—among others, of having been saved three or four times within their own recollection by the prowess of the British arms, which had there fought the battles of Europe, and obtained some honourable triumphs. But now, however, a different result was accruing to that country from her faith in our alliance, as was too manifest in the indifference with which we permitted her enemy, and for so many years the enemy of England, to take forcible possession of her. It was true, that the noble Earl did not pretend to justify our non-interference by the circumstance that Don Miguel's government had not been yet formally recognized by us, for the noble Earl had himself avowed the principle, that that recognition could not affect the treaty which bound us to interfere in certain cases of foreign aggression towards Portugal, by appealing to that treaty as the ground for demanding redress from Don Miguel in a recent case of injustice and oppression against a British subject. Policy, moreover, just now urged the expediency of our taking an anxious interest in the integrity of the Portuguese dominions, for it was, take it altogether, of more importance to us than any other State in Europe. He knew, indeed, or rather he inferred, that such was not the view taken of our intercourse with that country by Ministers; otherwise he could not account for the bill now in progress in the other House of Parliament, for putting an end altogether, and, as it should seem, for ever, to all the benefits which Portugal derived from her commercial intercourse with this country. And what would, he asked, be the inevitable result of such a

proceeding? Neither more nor less than dissolving the attachment of the Portuguese people to the British alliance. And, in such a state of things, what was more probable than that when France made her demands for compensation from her prostrate enemy, and made her submission to the French supremacy the price of her forbearing to enforce her demands with her cannon, than that Portugal should say to herself, "We have been abandoned by our ancient ally, on whom we ever placed confidence; she has not only permitted us to be attacked and defeated in our chief harbour, but deprived us of all the commercial advantages which we derived from our alliance with her: therefore, we have no resource but to throw ourselves upon the humane protection of our triumphant enemy." And it was needless to add, what eager friends and protectors they would at this moment meet with in the French. He was sorry to have been obliged to say as much as he had on this painful topic. He assured their Lordships, that the late misfortune which had befallen Portugal had occasioned him more poignant concern than any public event which had happened for some years.

Earl Grey begged leave to remind their Lordships of the great disadvantages under which he laboured in addressing them on the topics mooted by the noble Duke, as compared with the noble Duke: for, besides that there was no question substantively before the House, he felt himself fettered by the consideration that a reply to the noble Duke's fallacies would be a prejudicial anticipation of the discussion on matters still the subject of important negotiations. If, therefore, he permitted some of the noble Duke's observations to pass unanswered, he trusted the House would not conclude that they were unanswerable, but ascribe it to the fact, that to answer them at that particular moment might be injurious to the permanent, and, he trusted, speedy termination of a delicate conference. He lamented as much as the noble Duke could, the circumstances which had led to the hostile relations between France and Portugal, but it did not follow, because the French fleet had triumphantly taken possession of the Tagus, that therefore the honour of England was at all humbled. At the proper time he would show, that Ministers had not been apathetic spectators of these proceedings, as the noble Duke would insinuate; and that

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every thing had been done to avert the consequences, consistent with a just regard to our own permanent interests. At the present moment he would merely state—what all men connected with public affairs, or acquainted with history, well knew to be the fact, and what the noble Duke, who was so anxious for the honour of his country, would be ready to admit; that points trifling in themselves, if they were closely associated with the national honour, might become of the greatest importance—nay, of an importance greater than any that could be ascribed to what was ordinarily considered to involve the direct interests of the country. It was on this principle that satisfaction had been demanded, and the noble Duke would be ready to concede to other countries that regard for national honour which he was so ready to assert for his own. On a point such as this, satisfaction was demanded, and it was refused up to the very last moment. This was the only information which Ministers had on the subject. The noble Earl opposite (Aberdeen) might shake his head and whisper “No,” if he pleased; but he (Earl Grey) must be allowed to claim credit for knowing as much of such subjects, at least, as the noble Earl; he would repeat, that satisfaction was demanded, that it was refused to the last moment, and that it was in consequence of that refusal that the French fleet entered the Tagus. The noble Duke had said, that the French had invaded the country, but he (Earl Grey) was not aware that the fleet had troops on board, or any thing else which would enable them to do that which would constitute an invasion of the country. The French fleet having so entered the Tagus, the satisfaction demanded was, at length, given, and there the matter rested, according to the communication made by the French government to his Majesty’s ambassador. In such a state of things, it was obvious, that if he discussed the transaction, he must do so under very great disadvantages. He was restrained from fully discussing the subject, but when the proper moment came, he felt confident that he should be able to relieve his Majesty’s Ministers from the reflections that had been cast on their conduct. From the noble Lord, he appealed to that House and to the country, and all he desired was, that the House and the public would suspend their opinions till the whole case was before them, and

until they could discuss the question with a view to the general interests, and with the power of coming to a just conclusion upon the premises. He would now come to another point of the attack that had been made upon his Majesty’s Ministers. He alluded to the destruction of the fortresses which had been so recently erected on the frontiers of Belgium and of France. He was prepared to acknowledge, that the intention of the noble Duke, in subscribing the treaty by which the fortresses were erected, was to establish an effectual barrier for the defence of the Netherlands, and not to create any injury to France. The neutrality guaranteed to Belgium, which was so advantageous to the interests of the whole world, and so particularly advantageous to England, was likewise as advantageous to France, and would secure the Belgian frontiers more than the fortresses could have done. The House, he thought, would agree with him, that there had been circumstances connected with this system of fortresses—he alluded to the feelings of the Government and people of France—which could not be very favourable to the continuance of such works. This, however, was not a subject into which he could enter at that moment. All he would state was, that considering the circumstances of the country, the question was—whether it were possible to maintain those fortresses with any advantage to this country, and whether some new arrangements respecting them were not the natural consequences, and almost unavoidable result, of the separation of the two countries. For his part, he did not believe, that by the destruction of the fortresses the defence of the Netherlands would be materially diminished. If, unfortunately, a war had broken out between France and Belgium, his firm conviction was, that there was not a single one of those fortresses which would not have been in the hands of the French in the first week of the campaign. The noble Duke well knew that great doubts had existed among persons of the highest authority on such subjects, as to any advantage being derived from the erection of those fortifications. His (Earl Grey’s) opinions were purely political, for in a military point of view, he need not say, that he could not place any opinions of his in contradiction to those of the noble Duke. In a political point of view he was, he hoped, competent to express his opinions on the subject; and he had no hesi-

tation in saying, that these fortresses did not conduce to the safety of Belgium. All he asked of the public, and all he asked of their Lordships, was, to reserve their opinions till all the circumstances of the case were fully before them. He wished their Lordships only to reflect on what had happened, and put it to themselves, whether, under all the circumstances of the case, particularly the separation of Holland from Belgium, the demolition of the fortresses might not be expected. He wished the public and their Lordships to withhold their judgment upon the point, whether Belgium would not be better off and better defended under the proposed arrangements than under the arrangement of the year 1815, till the whole of the negotiations were concluded, and the whole results fairly before them.

Conversation dropped.

HOUSE OF COMMONS,

Tuesday, July 26, 1831.

MINUTES.] Returns ordered. On the Motion of Colonel DAVIES, of all Houses rated at 10*l.*, and not exceeding 20*l.*, and all above that sum, in Bradford, Newton, and Harpanley, Lancashire, and of all such Houses in and about the Metropolis, except the City:—On the Motion of Sir ROBERT ENGLIS, of the number of Jesuits and other religious persons belonging to the Church of Rome, in the United Kingdom, in pursuance of the Act 10 George 4th, Cap. 7.

Petitions presented. By Mr. BURGE, from the Proprietors, Land-holders, and others, in the Counties of Angus and Kincardine, for the Abolition of Slavery. By Mr. KING, from the Catholic Inhabitants of the Parishes of Kilmacabee, and Kilfarnabeg, against the Grant to the Kildare Street Society:—By Mr. JEPHSON, from the Catholic Inhabitants of Cove, Macroom, Meina, Liscanoll, Donoughmore, and Kilshanueck, Petitions with a similar prayer. By Mr. ANTHONY LEFROY, from the Ministers of the Wesleyan Methodist connexion, Belfast; of Inhabitants of Delgany, Carigallan, Drumreilly, Edgeworthstown, in favour of the Grant to the Kildare Street Society. By Mr. KING, from the Inhabitants of Cove (Cork), for the re-establishment of a Naval Dépôt. By Colonel TORRENS, from Dr. A. Tucker, against the Disfranchisement of Ashburton. By an Hon. MEMBER, from the West Lothian Agricultural Society, against the use of Molasses in Breweries and Distilleries.

KILDARE STREET SOCIETY—PETITIONS.] Mr. Ferrand presented a Petition from the county of Kerry, in favour of the continuation of the grant to the Kildare Street Society. He considered the petition of considerable importance, as it was signed by respectable persons of all parties. The petitioners stated, that the Society was increasing and extending its schools—that the great body of the people were favourable to its system of education—that the non-attendance of children in some places, was owing to the intimi-

dation practised by the Catholic Priests, and they concluded by praying the grant might be continued.

Mr. O'Connell wished to correct an error which had appeared: he had been made to say, that Lord Oriel had received 72,000*l.* out of the First Fruits in Ireland, for his own advantage. That was the mistake he complained of—he had merely repeated a statement made by the hon. member for Waterford, that 700*l.*, or 1,700*l.*, he forgot which, had been given out of the first fruits of the parish in which his Lordship resided, to build a church. He had never had the smallest intention to charge Lord Oriel with having received this money for his own advantage.—Petition laid on the Table.

On the Motion that it be printed,

Mr. O'Connell felt it his duty to admit, that this petition proceeded from a small, but highly respectable body of his constituents; but they were not of all parties. Fortunately, there was a little party spirit in the county of Kerry, and that little had been introduced by instituting Baptist Sunday Schools. Those who excited party spirit in Kerry, were the chief subscribers to the present petition. He was surprised, however, to see their names attached to the petition, as it contained most gross misrepresentations on this particular subject. He had lately seen an account of 31,000 Baptist Schools in a newspaper, when, in fact, there were only thirty-one. With regard to Schools built by Catholics, one had been erected at Tralee, by Dr. McGlenney, in which 700 boys were educated, no exception being made to the religion of the children, which had never received a farthing of the public money. In Killarney, 500 or 600 boys were educated upon the same principles, and almost every village had schools conducted in the same manner, and they were all supported, as the poor had been for the last two years, at the expense of the county. Convents were likewise maintained, in which female children were taught. He believed, if the question were put generally to the inhabitants of Kerry, 999 out of 1,000, would be against the continuation of the grant to the Kildare Street Society.

Mr. Lefroy could not understand how respectable persons, such as the petitioners had been described by the hon. and learned Gentleman, could attach their signatures to a petition which he had

described to contain misrepresentations. He could assure the House, that the Kildare Street Society was acceptable to the people; it was opposed by a portion of the Catholic clergy, but was popular with the laity of the same persuasion. The question for the House to consider was, whether the children of Catholic parents should be educated with the children of Protestants, though their priests did not like it.

Mr. *Ferrand* assured the House, that the respectable Gentlemen who had signed the petition, were incapable of misrepresentation.

Mr. *O'Connell* thought, that the hon. and learned member for Dublin was wrong, when he declared, that the clergy and laity of the Catholic Church were at variance on the subject of the Kildare Street Society. It was evident this could not be the fact, for the clergy had no other dependance than the bounty of the laity. When the clergy were well paid, whether they worked or not, they were inclined to do little: this was not the case with the Catholic clergy, and he hoped to God it would never be.

Petition to be printed.

[BELGIAN FORTRESSES.] Sir *R. Peel* said, that he had a question to put to the noble Secretary for Foreign Affairs, whom he was sorry not to see at that moment in his place. In the absence of the noble Secretary, perhaps the noble Lord opposite (Lord Althorp) would undertake to answer the question for him. That document, which they had all seen announced in the public journals as the Speech of the King of the French, stated, that an arrangement had been entered into, under which the fortresses, erected in the Netherlands subsequent to the general peace in 1815, were to be destroyed, either wholly or in part. The question which he wished to put to the noble Lord was this, was it the intention of the Government to lay on the Table of that House a copy of the convention, or formal instrument, by which this destruction was to be carried into effect? He supposed there was some convention for so extraordinary a measure.

Lord *Althorp* said, that he could not give an answer to such a question at that moment, and he begged the right hon. Baronet would wait until his noble friend, the Secretary of State for Foreign Affairs, was in his place.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — NINTH DAY.] Lord John Russell moved, that the House resolve itself into a Committee on the Reform of Parliament (England) Bill.

Colonel *Evans* observed, that the House was now in the third week's discussion on this Bill, and had not progressed further than the first clause. There was a strong and an alarming feeling excited throughout the country in consequence of the delays by which the Bill had been met. He imputed no motives to the Gentlemen opposite for the course which they had pursued. He merely wished to remind them, that their proceedings had created the greatest excitement throughout the country. A conference had been held between the Political Unions of Birmingham, Manchester, and Glasgow, as to the steps which, according to their sense of duty, they ought to take in case these proceedings were continually protracted in the same slow and tardy manner. He had heard several exclamations from the other side of the House as to the impropriety of proceeding with haste on a Bill of this importance; but in other cases, when the matter was not so important, but infinitely more dangerous, he meant those measures which took away the liberty of the subject, by suspending the Habeas Corpus Act—in those cases, he repeated, greater precipitancy had been shown, than that urged at present, without exciting a murmur on the part of those who were now so indignant. The six atrocious Acts were passed with a rapidity perfectly unexamined. He was sorry, that the noble Lord had fixed five o'clock for the commencement of the Debate on this Bill, and he did hope, that the noble Lord would see the expediency of appointing a much earlier hour for the despatch of that important business. At the present rate of proceeding, it was impossible to say when this Bill would pass through this House. If a different mode of proceeding did not take place that night or the next, he would move to examine at their bar, persons who understood the state of public credit, in order to point out to the House the danger arising from this course of delay.

Mr. *John Smith* also thought, that the complaints of the delays were well founded. He was certain that many Gentlemen who opposed the Bill, and made speeches against it, over and over again, in the very

same words, did so for delay alone. That, too, was the general opinion out of doors. No man could be blind to the feeling of society on this measure. As far as his observation went, and it was not confined or scanty, the whole nation participated in a sentiment favourable to the Reform Bill. If the House continued to go on as it had done, Parliament might sit all the summer, and at the end of it find, that it had done nothing. If this question were to be decided by a trial of physical strength, the young, who could sit out the old and sickly, must ultimately gain the victory, but then it would be victory not creditable either to the party who gained it or to the character of the House. He could assure the House, that the anger of the population in Scotland at the delays thrown in the way of the Bill was such, that if the House did not alter its course, it would shortly show itself in something stronger than words. He wished, that the noble Lord would move that the House should meet for the despatch of business at a much earlier hour than usual. No one would suffer greater inconvenience than he should from such an arrangement, but on an occasion like the present, all private feelings ought to give way. If the noble Lord would let the House meet at twelve o'clock, he would promise the noble Lord to be constant in his attendance at that hour, provided he was not sick. He wished from his heart, that the noble Lord would take some step to satisfy the public mind, which he could assure him was at present highly dissatisfied.

Mr. *Hunt* would willingly second the motion of the hon. member for Rye, for, though he hated late hours at night, he had no objection to meet as early as ten o'clock in the morning. The hon. Member had said, that the country was in a great state of agitation from the delays by which the progress of this Bill had been obstructed. He denied it. The hon. Member had told the House, that the Birmingham Union, and the Manchester Union, and several other Unions were considering of the measures which they ought to take in case this Bill was not expedited. What the Birmingham Union might be doing he knew not, but he knew that the Manchester Union was not very active in this cause. He had presented a petition from the Manchester Union, calling for Annual Parliaments, Universal Suffrage, and Vote by Ballot, none of which this

Bill granted. He had seen a deputation from that Union in the morning, and he had not heard of the existence of any such feeling on this subject as that which the hon. Member had described. He believed, that there were two Unions at Manchester, one of the middle, and the other of the labouring classes. Among the middle classes there might be a feeling in favour of this Bill, but among the labouring classes there was nothing of the kind. They wanted something for themselves, and this Bill gave them nothing. He had heard much of the great agitation now prevalent in the country. He had been hunting for it, but he could not find it. He had himself no objection to dispose of the disfranchisement in schedule A and B, and he had said so before. He would disfranchise all the boroughs in both schedules. He had before recommended the House to meet at an early hour, and, therefore, he was ready to repeat his determination to second the motion of which the hon. member for Rye had given notice.

Mr. *H. L. Bulwer* had a Petition on this subject to present from Coventry; and though he should be the last in proposing to press the Bill forward with undue haste, he could not help saying, that he thought much valuable time had been wasted in personal allusions, ill-timed jokes, and endless repetitions. The people were anxiously waiting for the decision of Parliament; and this—the moment of their breathless expectation—was not the time to indulge in rhetorical flourishes, or repeat often-refuted arguments.

Lord *Althorp* thought, that the discussion introduced by the hon. Gentleman would not tend to expedite the Bill. He should be happy to accede to any arrangement better calculated than the present for getting the Bill forward; but he did not think that they could do anything more improper than attempt to stifle discussion on the details of the Bill. By commencing at five o'clock, and sitting till one, they got eight hours for discussion every night; and if they were to meet in the day-time, he did not see that they could do more. The sitting in the morning had certainly been pressed upon him by two or three hon. friends of his; but he did not feel convinced that it would be the means of expediting the Bill.

Sir *Robert Peel* said, there were already several Committees which met at twelve o'clock, and did not separate till four,

which would be an impediment to the House meeting at that time. It might, perhaps, be advisable to appoint a Committee to examine the details of the Bill, which should meet at twelve o'clock, and separate at four, when the other Committees separated, and meeting so early, it might carefully examine those details, and be able to give an opinion on them. If the House met at twelve o'clock, that would occasion a great alteration. There were other species of business, such as Election Committees, and Committees on private bills, which, if they were not to sit, would cause the parties serious inconvenience. He was sorry, that the hon. Member, in referring to this subject, had alluded to the pressure external to the House. It was their duty not to be influenced by such allusions, and he trusted, that the time would never come when that House would allow itself to be fettered by such considerations. The details of the Bill were a matter of great importance. Circumstances had occurred, which had made a material alteration in the views taken by his Majesty's Government since last Session, in respect to Downton, Sandwich, and other boroughs, which showed that they regarded the details as important, and it was impossible to allow their claim to make these alterations, and to reconsider the question, without extending that permission to other Members who were bound by their duty to their constituents to attend to their particular interests. Whatever might be done by a reformed Parliament, he hoped that Parliament would not set the fatal precedent of the Members of that House neglecting the interests and wishes of their constituents. It was fair to observe, that several places had already been disfranchised in one night, which had enjoyed the franchise for centuries, after a very brief defence for them had been made—a defence, indeed, as short as it was well possible to make, consistently with the duty of the Members. It was in some measure the fault of the Government that there was so much delay. It would have been better if they had not brought before the House so many undigested details. It would be better if a Select Committee were appointed to examine the details, and report on them to the House, to inquire into all local matters; and as the House would not hear Counsel, and would not hear evidence, a Select Committee might ascertain all the doubt-

ful points. For example, there was the case of Appleby, which caused a Debate for three or four hours, because the House was not informed on a matter of fact. The time of the House might in that manner be spared. If a Committee were appointed; it might report merely on matters of fact, and be instructed to give no opinions. It was clear that the House could not come to a rational decision on such an important matter, unless time were allowed. If they refused to give their attention to all the circumstances of the case, it would be disposed of elsewhere. The Gentlemen who sat on that side of the House might, indeed, have absented themselves from discussing the details, satisfied with having given their votes against the Bill on the second reading, but that, he believed, would have been a more fatal and dangerous course than that which they had adopted, of examining the details of the measure. He conceived, that setting apart four days of the week, and sitting eight hours on each of those days, was sufficient; and it was not, perhaps, possible to devote more time to the subject. The state of health of the elder Members of the House must be consulted, and that would not allow of more labour. If they were to meet at twelve o'clock, the usual state of the benches at five o'clock now might convince the Members that at twelve o'clock they would not have a numerous attendance.

Mr. *Cresset Pelham* said, it was the duty of the House to inquire into, and remedy any evils said to exist in the Representation. They were now on the first clause of a Bill, the object of which appeared to be, to disfranchise places where corruption might be supposed to exist. Now, they had the most decided evidence before them, that the grossest corruption prevailed in one of the largest towns in the kingdom, and yet this place had not been included in schedules A or B. Ministers then were perfectly indifferent to corruption on a large scale, for the consideration of the charges against the electors of Liverpool had been postponed to an indefinite time, and he feared nothing would be done. He would take that opportunity of asking the noble Lord (the Chancellor of the Exchequer), whether he intended to make any communication to the House upon the subject of the expiration of the charter of the Bank of England?

Lord *Althorp* replied, that the Government had no intention, at the present time, of bringing forward any proposition on the subject.

The House then resolved itself into a Committee on the Reform (England) Bill, Mr. Bernal in the Chair.

The Chairman put the question, "That the borough of Queenborough stand part of schedule A."

Mr. *Capel* was aware, after the disfranchisement of thirty-eight boroughs, he had no hope of saving Queenborough, but he must state, it was neither a nomination nor a rotten borough, it contained 300 freemen, who, after a hard struggle of seven years, had worked out their political independence. He and his hon. colleague had been sent to the House as free and independent as any Members. He could not agree to the opinion, that there was a necessity to hurry the Bill through the House. He remembered when the noble relative of the hon. member for Buckinghamshire (Mr. John Smith), sat in the House by Mr. Pitt, having the power to nominate to six seats, and the fortunes of his family were materially aided by that power. He ought not, therefore, to be in such a hurry to get rid of the boroughs now under discussion. He protested, in the name of the freemen of Queenborough, against the disfranchisement, for Queenborough was now an independent borough.

Sir *Colquhoun Grant* felt it his duty, as a Representative of the borough of Queenborough, to trouble the Committee with a very few observations. The borough of Queenborough received the Charter which entitled it to send Members to that House in the reign of Edward 3rd. At the time of the granting of the Charter the number of voters was extremely small, and in 1775 there were only eighty-five voters in the borough; but at the present time there were between 300 and 400, which all would allow was a very respectable number. He admitted, that according to the erroneous principle of mere population which had been laid down by his Majesty's Government, the borough of Queenborough must be disfranchised; its case was hopeless; but he protested against that principle as arbitrary and unjust. If persevered in, it would lead to the worst results. That Constitution which produced the glory, the prosperity, and the happiness of the nation, would be destroyed; and the institutions of the country would rapidly

be annihilated. He trusted, that the law would not be built upon such a principle. An hon. Member, a supporter of the Bill, had stated, that he would prove every borough in schedule A to be a nomination borough. Now he challenged that hon. Member to the proof with respect to the borough of Queenborough. He defied that hon. Member to prove, that Queenborough was a nomination borough, and yet Queenborough was in schedule A. That borough had certainly formerly been much under the influence of the Hon. Board of Ordnance, but it had returned Members to the last three Parliaments entirely independent of the influence of that Board. Prior to the last election he had received an invitation to come forward, accompanied by a pledge that he should be returned without expense to himself. He had accepted that invitation, and although strongly opposed to his Majesty's Government, he had been elected by a triumphant majority. It had been stated in that House, that no candidate who had proved successful had ventured openly to tell the people that he was opposed to the Reform Bill. Now he had done so. A public meeting was called in the borough of Queenborough, prior to the election, and at that meeting he had openly and broadly stated, that he was opposed to the Bill. That was the fact. From the first he had been opposed to the Bill, and his chief object in wishing for a seat in that House, was a desire to display that opposition in an effectual manner. He sat there as an acknowledged and known opponent of the Bill, and he had the satisfaction of stating, that he had been sent there as such, without being bound either to peer or commoner, without being pledged upon any one point, and without expense.

The question carried.

The Chairman put as the question, "That the borough of New Romney stand part of schedule A."

Sir *Edward Dering* said, there were some peculiar circumstances in the case of New Romney, and he solicited the indulgence of the Committee while he shortly stated what they were. According to the census of 1821, the population of New Romney amounted only to 967 persons, but that return did not include the limbs and members of New Romney. Those members consisted of Old Romney and Lydd. The point he wished to establish and put to the Committee was this, that

New Romney being one of the cinque ports, was entitled, like Sandwich, also one of the cinque ports, to have recourse to the population of its limbs and members to make up the necessary amount of population. Sandwich had been allowed to include the population of its limbs, Deal and Walmer; and therefore New Romney ought to be allowed to include the population of its limbs, Lydd and Old Romney. That there was a strong political connection between New Romney and Lydd was amply proved by a reference to transactions of a very ancient date, when it was customary for boroughs to pay their Representatives, and that connection continued up to a very modern period. It appeared by documentary evidence, that in the reign of Henry 2nd, by a regular agreement, the Barons of Lydd contributed a certain portion towards the payment of the Barons of New Romney returned to serve in Parliament. There was also another agreement, shewing directly a close political connection between the two places, which had continued in full force, and had been acted upon, up to 1808. Of the political connection, then, between New Romney and Lydd, he apprehended there could be no question, and therefore he submitted to the Committee, that as in the case of Sandwich that cinque port had been assisted by the population of its limbs, Walmer and Deal, so, in the present case, New Romney should be assisted by the population of its limbs, Old Romney and Lydd. If that were allowed, as in fairness and upon principle he thought it ought to be, then the only question was, did the population of New Romney, thus assisted, amount to such a number as to entitle it to be removed from schedule A? He would refer to the population returns of 1821. It appeared by them that the population of Lydd amounted to 1,437, and that of Old Romney to 169, making, together with that of New Romney, a total population of 2,573 persons. These were the facts, and without asking the noble Lord (Lord John Russell) to adopt any new principle, he did submit, that he had fully made out a case which entitled the borough of New Romney to be removed from schedule A to schedule B. The case was exactly in point with that of Sandwich, excepting, indeed, that it was much stronger in one circumstance, Deal and Walmer being seven miles distant from Sandwich, while Lydd was only two from

Romney. He was anxious not to trouble the Committee unnecessarily, and as he felt, that he had stated enough to make out his case, he would not longer detain it.

Colonel *Evans* said, that he meant no disrespect to the hon. Baronet who had just sat down, when he stated, that in his opinion all nomination boroughs, of which New Romney was certainly one, were subjected to disfranchisement by the rule laid down in the Reform Bill; and if this rule were to be adhered to in any case, there was none which deserved its enforcement better than the borough now under consideration. Besides, the town of Sandwich was a flourishing and increasing port, with a good harbour, and which, together with Deal, was likely to rise into importance; whereas New Romney and Old Romney were not likely to rise above their present condition, there being no port of which they could avail themselves to increase their trade. For the last 150 years it had been a nomination borough, and he therefore should vote for retaining it in schedule A.

Sir *J. Brydges* said, that notwithstanding what had fallen from the hon. member for Buckinghamshire (Mr. J. Smith), he must intrude upon the attention of the Committee while he made a few remarks. He contended, that New Romney ought not to be disfranchised. For centuries it had exercised the elective franchise, and it had always done so with propriety and without blame. He hoped, that after the statement of the hon. Baronet, the member for New Romney, justice would be done to that borough, and it would be removed to schedule B. It ought to be taken out of schedule A, as a counterpoise to the advantages given throughout the Bill to the commercial interest, as at issue with the agricultural interest. New Romney was situated in a fertile district, and would return Members friendly to the agricultural interest. The noble Lord (Lord John Russell) had said, that his Bill was founded upon three principles—the destruction of nomination boroughs, putting an end to corruption, and the disfranchisement of inconsiderable places. For his own part he thought nomination boroughs useful; but if they were to be done away with, let them be thrown open, and not destroyed. With respect to corruption, let the corruption be cured, but not the borough extinguished. As to inconsiderable places, he did not very well under-

stand what the noble Lord meant by the phrase. If the hon. member for Worcester (Mr. Robinson) were in the House, he would probably give him some instruction upon the subject, and once more play the schoolmaster. But if such were the case, he might say to that hon. Member, that he had looked into the Dictionary, and he had there found, that an inconsiderable place was a place of no trade, of no importance, of no wealth, of no influence. But how was that definition to be adapted to such places as Fowey?—Oh! he should be told, perhaps, you have looked into the wrong Dictionary, you have looked into the old dilapidated Dictionary, whereas you should have consulted the Reformer's Dictionary. In allusion to some of the language which had been used in that House respecting the Representatives of what by some were called rotten boroughs, he would only say, that it was unworthy of any hon. Gentleman to use language in that House which he would not use out of it.

Lord *J. Russell* said, the hon. Baronet (Sir E. Dering) concluded, that because Sandwich, in conjunction with Deal, was allowed to return Representatives to that House, that therefore New Romney, in conjunction with Lydd, ought to be entitled to a like privilege. He begged, however to say, that it was not because Deal and Walmer were the limbs of Sandwich that they were united in the exercise of the franchise with that borough, but because they were flourishing towns, containing 10,000 or 12,000 inhabitants, while the whole population of Romney did not exceed 1,400 persons. The cases, therefore, of Sandwich and New Romney were not at all parallel.

Sir *C. Wetherell* said, he hoped the noble Lord (the Chancellor of the Exchequer) would act, with reference to the arrangements in that House, upon what he thought to be right, and not upon dictation or threat from abroad. The noble Lord had proposed a rule to the House, which had been readily adopted, and which had been faithfully acted upon, and therefore the House had a right to expect that its convenience and its dignity should be consulted in any alteration that might be suggested. For his own part, he should not be swayed by any thing which he had heard, but he should continue to do his duty, as he had hitherto done, going right on to his object. As to the particular case

before the Committee, he only possessed such information respecting it as might come to any Member accidentally; but, although thus circumstanced, he felt himself fully justified in broadly stating that there was not the slightest difference in principle between the case of Sandwich and New Romney. Sandwich, in order to make up the amount of population required by the noble Lord, had recourse to its limbs, Deal and Walmer; they were connected with Sandwich by municipal arrangements, and Lydd and Old Romney stood in precisely the same relation to New Romney. Indeed, after the documents referred to by the hon. Baronet (Sir E. Dering), no manner of doubt could exist in the mind of any one as to there being a direct and long-continued political connexion between New Romney and Lydd. An hon. and gallant Member, whose knowledge of the Cinque Ports he believed to be extremely modern, had at once decided against New Romney, upon the ground that it was a nomination borough. Oh! it has no claim, no pretensions, said the hon. and gallant Member; it is a nomination borough. Why, he asked in reply, is not Calne a nomination borough? A noble Lord had said, don't allude so often to Calne; but he could not help it, for there was a sort of elective attraction about that borough that always involuntarily induced him to look at it. Now he wanted some further explanation from the noble Lord as to the principle upon which he had acted with respect to New Romney. The noble Lord was rather shy, both by land and by water, of speech-making—and he thought the noble Lord acted perfectly right in absolving himself off Twickenham from the demand made upon his oratorical powers. It was certainly too much to ask the noble Lord to take a piece of pine-apple, and to make a speech in the same breath; but he also thought, that the noble Lord might with advantage be somewhat more communicative upon the dry boards of that House than he had been when upon the boards of the city barge. In the present case some further explanation was absolutely necessary from the noble Lord, or it would be utterly impossible to understand what the principles were which even were said to be applied to New Romney. It was evident the principle of the hon. member for Rye (Colonel Evans) was not the principle of the noble Lord, for, if it was, it

had not been applied to Calne and to other places [*noise and confusion in the House.*] They might almost as well be on board the city barge as in that House, if such proceedings were to go on. He had very little to add; to preserve to Sandwich the right of sending Members to that House the limbs and members of that borough had been had recourse to, and New Romney was entitled to the same treatment. He should take that opportunity of repeating, that he should persevere in the course he had hitherto pursued. The noble Lord might withhold all information if he pleased, and if he did, all that he had to say was, that he was extremely glad there was such a place as an "elsewhere."

Lord *John Russell* explained again the rule on which the boroughs were to be disfranchised. Deal was not annexed to Sandwich, because it had been connected with it under one jurisdiction; but because Deal was a flourishing town as well as Sandwich it was thought right to give them the right to return Members. Those two towns together contained more than 10,000 people; and between them, and New Romney and Lydd, the latter of which had a population of 1,400 the former of 900 persons, he saw no resemblance which could entitle these places to be treated in the same manner as Sandwich.

Mr. *Croker* said, he understood the hon. and gallant Member opposite to have alluded to a more summary mode of shortening the debates, which would be exceedingly disagreeable.

Colonel *Evans*—I beg the right hon. Gentleman's pardon, but I must explain to him, that I did not use any such phrase as that of a summary way of proceeding; I only urged the necessity which existed for expediting the measure.

Mr. *Croker* had understood, that the hon. and gallant Member had alluded to physical force. However, letting that pass, he would observe, that the hon. and gallant Officer wanted to expedite the business, and took the most extraordinary method—that of standing up and making a speech which had nothing to do with the question—offering an opinion which could not be received without discussion, and giving evidence which must be subjected to observation. He did not blame the gallant Officer: he had done his duty, and had given his reasons for his opinion. But if he had done that, why might not another?

The gallant Officer, however, gave, as the ground of his vote, that this was a nomination borough. The gallant Officer, however, was contradicted by the noble Lord. The noble Lord said, it was not because it was a nomination borough, but because it had not a sufficient population, that it was disfranchised. When it was proposed to transfer it to schedule B, it certainly would meet there with other nomination boroughs. What was Aldborough? What was Amersham? What was Arundel? New Romney would not make its companions ashamed of it. The opposite party complained of delay, and here the hon. and gallant Officer stated, over and over again, propositions that had been over and over again repeated [*hear, hear!*]. He did not know whether those cheers were meant for him or for the hon. and gallant Officer, but the gallant Officer had been, in this case, the cause of the delay which he complained of. The next point on which New Romney was to be disfranchised was, because it had not a port, and was not a thriving place. Fowey, however, was a thriving place. Fowey had a port; but Fowey was not saved, though the gallant Officer, on his own showing, ought to have voted for Fowey. He had another point to advert to. A memorial had been presented to the noble Lord from Sandwich, and that memorial set forth, that Deal and Sandwich ought to be united in Representation, because they were united as Cinque-ports, and had long been under the same jurisdiction. And on that ground on which the Representation was extended to Deal and preserved to Sandwich, if the principle held good as to Sandwich, it ought to be extended to New Romney and Lydd. But the noble Lord had that night avowed another new principle. The noble Lord had stated, that two considerable towns, near one another, and one being a thriving place, they might be united into one borough. That was a new principle; and he begged it might be remembered. He hoped that principle would be remembered when they renewed the discussion about Aldeburgh and Orford, as well as in the present discussion about New Romney. When the noble Lord refused to entertain this proposition with regard to Romney and Lydd, he felt himself entitled to inquire at what time, and for what motive, it occurred to him to propose the junction of Sandwich with Deal and Walmer. The

noble Lord introduced his Reform Bill last session, every part of which was considered of such perfection and importance that Parliament was dissolved for not passing it just as it stood. In that Bill Sandwich stood in schedule B. It was now in another schedule, and was to send two Members in conjunction with Deal and Walmer. He had asked the noble Lord, when it had occurred to the Government to make that alteration, and the noble Lord refused to answer. Now that refusal induced him to state what he supposed would oblige the noble Lord to give some explanation on the subject. He would mention, not a matter of which he had himself any knowledge, but a report which had been circulated in one of the newspapers. Sandwich is a corporation, most of the voters of which are pilots and seamen, many of whom live along the coast, and several in Deal and Walmer. It was stated, that when the Ministerial candidate went down to canvass the voters, some of them said to him, which was very natural for men in their situation, "Why, you ask us to give a vote for our own disfranchisement. You are for the Bill which is to take from us one Member. Now Deal, and Sandwich, and Walmer, would make a borough if united, and if you were to give us such a Reform as that, we would vote for you with pleasure." What effect this had on the change made in the Bill, with respect to Sandwich and Deal, he would not say. If the change had been made before the dissolution of the last Parliament, he should not have occupied the time of the House by mentioning it; but such a report having gone abroad, the people of New Romney and Lydd would like to hear some explanation, why the distinction was made between their case and that of Sandwich and Deal. They had heard the statement, that it was a bargain made to secure the return of the Ministerial candidate, and the silence of the noble Lord would give it currency.

Sir *T. Troubridge* said, he had listened attentively to the circumstances just mentioned by the right hon. Gentleman, and he could say, that they were totally unfounded. He had canvassed Deal and Walmer the same as Sandwich, because many of the voters resided in these two places.

Lord *D. Stuart* said, he felt it necessary to state, that Arundel was perfectly free from nomination, and he (Lord *D. Stuart*) was as independent of the noble individual

who was said to have influence in that neighbourhood as he was of any Member of that House. He was a reformer, and so was the noble Lord alluded to; but, if his opinion had been the other way, he would go over to that of the other side without any reference to that of that noble person.

Colonel *Evans* said, that two or three of the statements of the right hon. Gentleman had already received a contradiction. He had accused him (Colonel *Evans*) of having used language which he never held; but he hoped, that before the right hon. Gentleman made such a charge again, he would make himself acquainted with what the person accused did say. He had only spoken once on this subject, but he was within the mark when he said, that the right hon. Gentleman had addressed the House on it forty-five times, and had gone round the world for topics, not on all occasions having any very close connexion with the question before the Committee. He did not accuse the right hon. Gentleman of that versatility of talent which he displayed on these occasions. If he were not aware of the right hon. Gentleman's candid and straightforward manner, he might say, that some of his objections were made to gain time; but he did not make that charge, for he would pass no judgment on the motives of the hon. Member. With respect to New Romney, he would observe, that it was in the centre, not of a populous district, but of an extensive marsh, and that it would require a circuit of some forty miles to supply such a constituency as would be required under the Bill; but even then, the question remained, was it not a nomination borough? for the influence of the gentleman who now had the patronage of it would remain nearly in the same hands as at present.

Mr. *T. L. Hodges* said, that the population in the vicinity of New Romney were as likely to form a set of as independent electors as any in the kingdom. They were as staunch advocates for Reform as any in Kent. He had received the most cordial support from them on his canvass.

Mr. *Croker* said, he had not intended any rebuke to the gallant Officer for his speech; on the contrary, he admitted his full right, and that it was not only a right but a duty, to offer any argument that occurred to him on the subject. The gallant Officer had said, that two or three of the statements made by him had been

refuted. He begged to contradict that statement in the most direct and unequivocal manner which the forms of parliamentary language admitted. No statement of his had been refuted. What he stated was a report which he had seen in a newspaper, and which he mentioned only as a report. He would bow to the House, or to any hon. Member, for a correction of an error if he fell into one, but he would not suffer the gallant Officer, or any other hon. Member, to tell him that his statements were contradicted, when the fact was not so.

Sir *E. Dering* denied that his interest would be promoted by an extension of the franchise to Lydd. He had no property in that place.

Mr. *Cresset Pelham* said, that the farmers and others in the neighbourhood of New Romney and Lydd were opulent and independent, and as likely to make a good constituency as those in any other parts of the county. They were likely to be more independent than the inhabitants of Sandwich and Deal, which would be as much under the influence of the Treasury as heretofore.

Motion carried, that "New Romney stand part of schedule A."

The next motion was, "that the borough of St. Germain's stand part of schedule A."

Mr. *C. Ross* expressed a hope, that the Committee would allow him to call its attention to the case of this borough. He was not disposed to controvert any of the principles laid down by the right hon. Gentleman opposite; but he would beg the House to consider what was the proposition of the Bill of last session with respect to this measure. In the first Bill the borough of St. Germain's was in schedule B, and the House assented to the proposition, that where the population exceeded 2,000, it should send one Member. It was true the borough itself had not that population, but then it came under another principle of the noble Lord's, that where the borough and the parish were of the same name, and where the borough was contained in one parish, the population of both should be included. It was admitted, that if this plan had not been adopted, many boroughs would be disfranchised which were now allowed to send Members. By the census of 1821, the parish of St. Germain's had a population of 2,400, and at present the number

was rather greater. He mentioned this fact to show, that the borough was not declining. In this return the population of the parish was included. In the question of population it resembled Downton, but it differed from it in these respects—that it was impossible, in any convenient distance, to get the required number of electors for Downton, and in the amount of assessed taxes it was much below St. Germain's. This latter borough was not in a poor and thinly inhabited district—it was in one of the richest parishes in Cornwall. The borough alone contained 100 houses, and it would be easy to make up the required number of 300 in the neighbourhood. It paid 341*l.* in assessed taxes, which was more than that paid by St. Ives or Malmesbury, as much as Oakhampton, and treble the amount paid by Downton. As to the returns, on which Ministers grounded their attention, all the information they contained was known in the last session. One of the returns, which stated that there was no house in the parish, exclusive of the borough, rated to the poor-rates at 10*l.* a year, was erroneous. There were many respectable houses in the parish, exclusive of the borough, which were worth more than 10*l.*, and many others might be found in the place which would make up the required constituency. He thought that this constituted a fair claim on the part of the borough not to be included in schedule A, and he put it to the Committee as a case which did not at all affect the principle of the Bill.

Lord *J. Russell* said, the reason why St. Germain's was taken from schedule B of the last Bill was, that there were only thirteen houses in the town and parish assessed at 10*l.* and upwards. The population of the town and borough was under 700; the town contained only fifty acres; the whole parish exceeding 9,000 acres. If the borough was as the hon. Gentleman had represented, it might not be proper to make it an exception to the rule; but they had no evidence before them which would lead them to that conclusion, and from all that had reached him on the subject, he had reason to believe, that a constituency could not be made out without going a distance of seven or eight miles; and in that case it might be said, that it would be transferring the franchise to the next town, for St. Germain's was, of itself, too small and insignificant to bear a part in

the Representation. There were only eight houses in the borough, and four in the parish, rated to the house-duty at 10*l.* and upwards, and this at two-thirds of their annual value, and only fifteen houses in the borough of the annual value of 10*l.* and upwards. In such a town and neighbourhood, then, it would be impossible to get a constituency; and on these grounds, he did not see why it should be omitted from schedule A. He must hear more than he had yet heard to induce him to change his opinion.

Mr. *Praed* said, that when the hearing of counsel was objected to, it was said, that it was competent for Members to state the condition of their respective boroughs, though the learned Lord Advocate had intimated, that the Representatives of the boroughs about to be disfranchised, either had no right to vote, or, at least, that they ought not to exercise it; but after what had passed, he supposed that they might, without objection, perform the two duties of advocates and witnesses. Considering the case of St. Germain's a peculiar one, he should trouble the Committee with a few observations upon it. Credit had been claimed for a noble Lord (Radnor) for the disinterested manner in which he had consented to the sacrifice of Downton. He might claim for the noble person who possessed influence in St. Germain's a similar disinterestedness. He was ready to admit, that he had been introduced by noble and influential persons to the notice of the inhabitants of the borough of St. Germain's, but he must, at the same time, observe, he was not bound in any manner to support the dictates of a patron, who, having never sought for any advantage from the possession of patronage, could have no object in seeking to influence the conduct of the Members. He was pledged to nothing but a fair consideration of any plan of Reform that might be brought forward, and, in answer to accusations which had been thrown out against him, he would say, that he never would have taken his seat upon any other principle. Having said thus much with respect to himself, he might add, that long-cherished connections and early prepossessions led him to desire to give the Bill of the noble Lord all the consideration in his power, and to support its plans of Reform as far as they could be made consistent with his duty to that House and to the country. Without now going into any examination of the decla-

rations of the noble Lord with respect to the principle of the Bill, he might ask on what ground were they about to proceed with respect to St. Germain's? The borough was admitted, in the first Bill, to have had the requisite number of inhabitants in 1821, and now, as in the case of Downton, it was proposed again to violate the principle laid down by Ministers themselves. It had been said, that St. Germain's was an insignificant place, but his hon. friend (Mr. Ross) had shewn, from the amount of population, the number of 10*l.* houses, and the amount of assessed taxes paid, that it was far from being insignificant, and that, by letting in part of the surrounding parishes, a sufficiently numerous constituency might be obtained. The noble Lord objected, that they had no evidence of this; that the information the Ministers had procured led to a different conclusion. That information was allowed not to rest upon the best authority. They had, however, in this case, that sort of evidence, which the noble Lord said it would be competent to Members to offer in the Committee, and now, when offered, it was rejected. The argument in favour of this measure, when first proposed, was, that it would strengthen the agricultural interest, by giving the franchise to rural districts in connection with towns. That argument seemed now to be entirely lost sight of. He desired the abolition of the nomination boroughs; he wished them to be rendered independent; but it was, as in such cases as St. Germain's, by extending the franchise into the neighbouring parts of the country. In this way he felt confident, that a good and fair constituency might be obtained in the case now under their consideration. He had heard, that an hon. Member, having been applied to to contribute something in aid of the Greeks, said, he did not like the Greeks, because they had behaved ill to the Trojans. Whatever might have been the faults of the ancient Greeks, it would not be quite fair to visit them on their descendants; and it was just as unfair to visit the delinquencies, whatever they might have been, of the St. Germain's that was, on the St. Germain's that now is. Bath, which at present had only thirty voters, would by the operation of this Bill, have 4,000. Had it been disfranchised, the loss would have fallen, not upon the thirty electors which it before had, but upon the 4,000 who would thus be shut out from the elective

franchise. So, in the present case, the loss would be not alone to St. Germain's, but to the independent body of electors that might be found in the surrounding neighbourhood. The noble Lord (Lord J. Russell) said, St. Germain's was not such a place as could form the nucleus. That ought to form no ground for its exclusion. The circumstance that the electors would, in a great measure, be agricultural, he did not expect to hear stated as an objection by the noble Lord, for a disposition was at first manifested to rank that circumstance among the benefits that would arise from the Bill. In forty-four of the boroughs in schedule B, there were only eight in which a great majority of the electors were not taken from the country districts adjoining. He implored the noble Lord and the Committee to look at this case fairly and dispassionately, and to examine all the circumstances connected with it; and if they did so, he felt confident, they must come to the conclusion, that no ground for disfranchisement had been made out. It was incumbent on the noble Lord, not only to act with fairness, but, as far as he could, to avoid even the possibility of suspecting unfairness. He intreated him not to endanger the advantages which he expected to arise from a great and extensive change of this kind, by any circumstances which could afford any ground for a suspicion of unfairness.

Mr. Stanley was one of those who could not object to the inconsistency of the union of the offices of witness and of advocate, because it would lead him necessarily to object to the junction of another office, which was open to the imputation of still greater inconsistency, namely, that of a judge. If counsel had been admitted to argue the merits of the various boroughs which it was proposed to disfranchise, the time of the House would have been occupied, and no conclusion would have been arrived at. In his opinion, the Representative of any place was the fit person to advocate what were conceived to be its rights. The hon. Gentleman had said, for he had taken down his words, that "he had been introduced by noble and influential persons to the notice (delicately put!) of the borough of St. Germain's." After having vindicated his patron, and after having vindicated his own independence, the hon. Gentleman had proceeded to speak upon the question of the disfranchisement of the borough. The hon. Member contended,

that the authors of the Bill did not proceed upon the principle of destroying nomination boroughs; because, if they did, they would not have proposed the destruction of St. Germain's. The principle of the authors of the Bill was, to destroy the system of nomination boroughs as a whole. Being obliged, by the circumstances of the case, to adopt an arbitrary rule, they took as *prima facie* evidence that a borough was a nomination borough, that it did not contain a population of 2,000. With so small a population, they held, that a borough was so insignificant, and so liable to be dependent, that it ought not to return a Member to the House of Commons. Another hon. Member had adverted to the case of Downton. Now, the population of Downton was 3,114, and the population of St. Germain's, including the parish, was only 2,442. He would state to the House the population and extent of the borough of St. Germain's, taking for his authority the returns made by the Portreeve of that borough in January, 1831, at which time that officer had no knowledge of the purpose for which those returns were wanted. It appeared, that the borough of St. Germain's, and the parish in which it was situated, were not co-extensive. The borough contained forty acres, the town of St. Germain's fifty acres, and the parish into which it was proposed to swamp the borough contained no less than 9,029 acres; nor was the population of the place concentrated in the borough. By the population returns of 1821, which were correct, with the exception that the town and borough were considered as co-extensive, it appeared, that the number of houses in the town was ninety-nine, and the number of male inhabitants 247, so that the male and female population might be taken as being under 500. But what was the population of the remaining part of the parish? The remainder of the parish, including the village of Hessenford, contained no less than 1,800 or 1,900 inhabitants. The same difference of population was apparent in the returns for the present year. According to them, the town contained 672 inhabitants, and the other part of the parish 1,914. Now, if this borough were to be thrown into the parish, what was to prevent such a principle being carried to an absurdity? According to the same rule, why should not a circle be drawn round Old Sarum, which did not contain one inhabitant, and the elective

franchise distributed in the surrounding district? The House, he thought, had already disposed of this case, by its decision on the question of the borough of Downton, and that decision he hoped would not be reversed.

Mr. *Praed* said, that the Ministers had laid down a rule, that all boroughs containing less than 2,000 inhabitants should be disfranchised. Now the parish of St. Germain's had a population beyond that number; and he thought, therefore, that this place, together with the surrounding districts, had some cause to complain, they being above the line, and yet they were placed in schedule A. He also considered, that Ministers had proceeded upon erroneous information. The first returns were grossly incorrect, and the new ones were anonymous. No comparison could be made between Old Sarum and St. Germain's, unless the former contained 2,000 inhabitants. In the case of Downton a constituency could not be obtained within seven miles. St. Germain's was included in the schedule, because Ministers found it no longer necessary to conciliate the landed interest.

Lord *J. Russell* said, that he always supposed, that the returns respecting the number of 10*l.* houses were incorrect in many instances; but the further information which had been given to the House, with respect to the case of St. Germain's, was not of such a nature as to make him doubt the general accuracy of the returns.

Sir *Charles Wetherell* was desirous of arresting the attention of the House whilst he examined the arguments of the right hon. Gentleman, who had drawn a parallel between the cases of Downton and this borough, as inapt as that was said to be between Old Sarum and Macedon. The case savoured of too much nicety—it was too Grecian for him. However, if he forgot his Greek, there was little doubt the King's Attorney General, who was now in close conversation with that right hon. Gentleman, would soon rise to refresh his fading recollection from the fountains of his literary lore. He was well known to be a good scholar, and competent, as the poet describes another celebrated person, to transport his fancy to those classic shores—

———“*modo me Thebis : modo ponit Athenis.*” He confessed he was surprised to find the right hon. Gentleman so soon forget what the noble Lord, who talked so loudly of a

principle in his Bill, had done with the borough of Horsham. To use the phrase in a somewhat unsailor-like manner with the right hon. Gentleman, that borough had been swamped on Horsham Common. Why, if this could be done to suit the wishes or objects of the noble Lord, was not there a much fairer reason to allow the borough of St. Germain's to be swamped in the adjoining parish, than allow Horsham to be swamped in the neighbouring common? The noble member for Yorkshire well knew the extent of a borough called Malton; it was long enough to tire a good pair of post horses; yet in that distant and sequestered place, more remarkable for shooting than canvassing, and where there were more grouse than voters, the borough, for some reason best known to the noble Lord, had been suffered to be swamped in the woods and wilds around it. The right hon. Gentleman had said, the reason for this is comprised in one word—it is a nomination borough. Now, though this be not the fact in instances with which the Ministers themselves are acquainted, why was Knaresborough, notoriously a nomination borough, and Calne, also a nomination borough, to be excepted from the operation of the disfranchising principle, and preserved to the patrons? No answer had, in his opinion, been given to the arguments of his ingenious friend (Mr. *Praed*). Though this had been a thriving place, still that circumstance, as was well known in the case of Fowey, would have been over-ruled, by the noble Lord's principle, which, to all appearance, was of that flexible nature, that it seemed to suit the objects and interests of his Majesty's Ministers, on all occasions, with admirable facility.

Mr. *Lambert* observed, that no general rule that could be devised could be expected exactly to fit every individual case. It was all that could be expected if the general principle were adhered to as closely as circumstances would permit. In the present case, it appeared to him, that the application of the general rule was fair and impartial. The conduct of his Majesty's Government, in having appealed to the country on the question, had been most laudable, and the appeal had been answered as it deserved to be. He wished that the other side of the House would pay more deference than they seemed disposed to pay, to the opinion of the public on the question; an opinion which, loudly

expressed as it was by the various classes of which that public was composed, demanded their attention. Adverting to the charge which had been made against several hon. Members, of coming to the House fettered by their previous pledges, he, for one, denied that such had been his case. He had distinctly stated his opinions to his constituents, and had told them, that if they approved of those opinions they would vote for him, but not otherwise. He had been elected upon the ground of supporting Reform; and he was the more ready to pledge himself to its support, as he decidedly considered it to be necessary for the benefit of the country. There were three classes of Reformers, or no Reformers. One would grant something, a second a little more, and a third would reject every species of Reform altogether. Now, he being a Reformer, and believing he was correct in his views of the subject, could not avoid feeling some indignation at the course which had been pursued by its enemies, particularly in that House.

Sir *R. Peel* said, he supposed that the hon. member for Rye would report the hon. Member who had just sat down, to those members of the Political Union of Manchester, who were becoming exasperated at the delay which the Reform Bill had experienced, and who had determined to denounce such Members of that House, who, when the details of the Bill came under consideration, chose to touch on perfectly irrelevant topics. The hon. Member (Mr. Lambert) had called upon the different Reformers in that House, to come forward and defend their opinions, and had laid the foundation of almost interminable debates; and whenever delay and factious opposition should be again charged against the Gentlemen on the Opposition side of the House, he would always refer to the example of the hon. Member, who had given provocation to debate, which required the utmost forbearance to resist. It would, therefore, be but fair for the vengeance of the members of the Political Union to fall solely and singly on the head of the hon. Member himself. The right hon. Gentleman opposite (Mr. Stanley) said, that the disfranchisement of the borough of St. Germain's might be a departure from the letter of the Bill, but it was an adherence to its principle. Then he (Sir *R. Peel*) was at a loss to know what the principle was;

and he thought that the right hon. Gentleman was bound to show, that this borough would continue to be a nomination borough, when the new constituency of 10*l.* voters was thrown in. He doubted the policy of disfranchisement of the kind proposed. By it, that portion of the agricultural population, not being freeholders or copyholders, but inhabitants of 10*l.* houses, would be deprived of the right of voting: while, on the other hand, if the franchise of boroughs was extended into the surrounding districts, that particular class of persons would be admitted into the franchise, and form a more independent set of voters than the householders in towns, because, being more scattered, they would be less likely to be acted upon by political clubs and unions. But the right hon. Gentleman had stated, that the object of the Bill was, to prevent small towns being swamped by country constituencies; though he had previously understood, that the object of the Bill was to destroy the unity and individuality of every borough, and admit a new class of voters from agricultural parishes. In fact, how had Ministers acted with respect to the borough of Christchurch? The area of Christchurch was twenty-seven square miles, or upwards of 1,700 statute acres. The total number of 10*l.* houses in the borough of Christchurch was eight; and therefore the surrounding district was to be included, in order to make up the requisite number of 300. Then how could the right hon. Gentleman contend that the spirit of the Bill was not to swamp small towns in country districts? He, therefore, was of opinion, that the spirit of the Bill would not be violated by allowing St. Germain's to retain the elective franchise.

Mr. *Lambert* stated, in reference to what had fallen from the right hon. Baronet, respecting the Political Union of Manchester, that the indignation of any individual or society was perfectly indifferent to him.

Sir *R. Peel* applauded the sentiments of the hon. Member, but informed him, that at an early period of the evening, during the progress of the Bill, they were threatened with the enmity of the members of the Political Union, if any delay with respect to the Reform Bill took place; and he certainly thought, that the hon. Member ought to be the first person against whom their enmity should be directed.

The *Attorney General* did not, by any means, think that the impatience expressed out of doors on the subject of the Reform Bill, was a matter to be thrown out of consideration by any part of the House. In proposing disfranchisement, it was necessary for Government to draw some line, and it was surprising that Gentlemen on the other side of the House had not been able to make out an appearance of more anomalies than they had as yet. The Bill had not been brought in for the purpose of removing anomalies; its object was, to remove the gross and disgraceful abuses of the system of nomination boroughs, alike dishonourable to the nominators and nominees. Therefore, in proposing to take St. Germain's out of schedule A, it was not enough for hon. Gentlemen to show him, that there were some boroughs omitted which ought to have been inserted in the schedule—they had to prove that St. Germain's was not a nomination borough. The only question for the House to consider was, whether the line adopted by Ministers, had been fairly and honestly acted upon? In fact, the only difficulty which Ministers had experienced in applying their principle, arose out of the circumstance of having paid too much consideration to those boroughs which were under the influence of persons opposed to the Government. Take, for instance, the cases of Aldborough and Buckingham. The hon. and learned Gentleman had coupled Macedon and Old Sarum together, for what purpose he could not imagine. He remembered, indeed, that there was something in Shakspeare about Macedon and Monmouth, but really he did not see how any comparison could be instituted between Macedon and Old Sarum, unless, perhaps, it might be said, that Macedon was once ruled by Alexander the Great, and that Old Sarum was now governed by another Alexander.

Mr. *Croker* said, that the hon. and learned Gentleman who had just sat down had told the Committee, in aggravation of the case of this borough, that he looked upon it with still greater suspicion, when he heard the defence made for it, and observed the zeal which was displayed on its behalf. Surely the hon. and learned Gentleman must have seen the same zeal in favour of Downton. He (Mr. Croker) had argued, in that case, that Downton, as well as St. Germain's,

would, when the new constituency was formed, be a free and independent borough. He was actuated by the same zeal to see justice done in every case. The hon. Gentleman opposite talked of anomalies, when the more appropriate phrase would be, violations of their own principles. Anomalies! why, absurdity—partiality—injustice—would be the more fitting designations. But he would point out one or two of those anomalies. One anomaly was, that a 10*l.* house in Westminster, and one in the distant borough of St. Germain's, a 10*l.* house in Westmorland, and another in Grosvenor-square, would be of equal value in the electoral scale. Another anomaly was, that the borough of Malton, for instance, with its 4,005 inhabitants, was to have two Members, while the gigantic town (as he would call it) of Bolton, with a population of 40,000, would have but one. The Bill had been framed by Ministers with a view to party purposes—Calne was the keystone of their arch. The fact was, that his Majesty's Ministers had set out upon a broad rule; to which, however, they did not think proper to adhere. They had had the borough of Calne before their view in the formation of this measure, and to that case every one of fifty boroughs was made to bend. In Calne the borough and the parish were confounded, and the noble Lord said, in his defence, that he had no means of distinguishing the one from the other. Now he had in his hand a paper, dated in January, 1831, which had been used by the noble Lord as ancillary and auxiliary to the population returns. In that document the borough was separated from the parish; their condition and circumstances were separately and individually expressed; and, would the House believe it? the result was, that if the principle professed by his Majesty's Ministers had been acted upon, Calne would have been placed in schedule A, instead of its being left where it was with an undiminished representation. The paper to which he referred was ordered by the House to be printed on the 30th of March, but it was dated at Calne on the 24th of January; and it stated, that the borough of Calne was only part of the parish in which it stood, for the parish of Calne included 8,000 acres, very nearly the number of acres contained in poor St. Germain's, which was to be excluded from all favour; so that it happened, by one of those lucky

circumstances by which, through the providence of Heaven, unjust acts and undue courses expose themselves, this disfranchised parish borough contained the same number of acres as Calne, which was to be preserved. The paper went on to say, that at the date of the return, January last, the borough contained only 997 male inhabitants, of course under the population returns of 1821 it must have contained still fewer; for it would seem, that in January his Majesty's Ministers had a notion floating in their minds that the number of male inhabitants would be a proper test to apply to the borough. Well, then, the number of male inhabitants of Calne being 997, if they set down the other sex at about the same number, which was the usual proportion, the whole amount must have been short of 2,000, and Calne must have fallen into *index expurgatorius* of schedule A. So then the framers of the measure cried out "Oh, that will not do. We must look for another principle. Let us confound the borough and the parish together." By that arrangement Calne would have 4,500 inhabitants; and, consequently, it retained its two Members. He dared say, that when the desire to save Calne was expressed in the Cabinet, there was some one present quick-sighted enough to observe, that the borough of St. Germain's was similarly circumstanced, and that if the town, and the parish, were to be united as in the case of Calne, it would, like Calne, preserve its Members. "Oh! never mind that," said another, "we will find some anomaly, or some accident in the progress of the measure, to get us out of the scrape. Lord Radnor shall go into the library of the House of Commons, and shall meet Lord John Russell, and say to him. 'Oh! pray don't spare Downton, give me great credit for the patriotic sacrifice of Downton, where I sacrifice nothing at all;' and then St. Germain's may be abolished under the precedent of Downton, and in spite of the precedent of Calne.'" Gentlemen who made exclamations of surprise had, perhaps, not heard the speech of the noble Lord, in which he stated, that he had met Lord Radnor in the library, and that such a conversation had passed between them. So, because those two noble Lords had met in that way, the whole principle of the new Constitution of England was to be abandoned; and the laws established by Ministers, arbitrary and partial enough, God knows, in

themselves, were to be made still more so by private objects and personal favoritism. It was a very curious and remarkable circumstance, that, at the very same time that the noble Lord put St. Germain's out of schedule B into schedule A, because, as he said, it was a small borough, situated in a large parish, with which it had no common interest, he put Aldborough—by way of striking a balance—from schedule A to B, although it was smaller than the borough of St. Germain's, and situated in a larger parish—although it was in every respect inferior in population, in the number of its houses, and in rates. The total population of St. Germain's was 2,400, the total population of enfranchised Aldborough was 2,129—talking now of the parishes. The number of males in the borough of St. Germain's was 247; in Aldborough there were only 236. The houses in the despicable and condemned borough of St. Germain's amounted to 446, while the dignified borough of Aldborough contained but 408. His attention was peculiarly called to these points by a remarkable circumstance, which appeared from the papers placed on the Table by the noble Lord. There was an ancient borough in Yorkshire, called Richmond, which sent a memorial, expressing its approbation of the principle of the Bill, although it would deprive it of its privileges. The memorialists were contented, they said, to submit to the general rule, and lose some of their own influence for the general good; but they stated, that they had just learned with regret, that the authors of the measure had admitted Aldborough, and Northallerton, and Thirsk, which were situated in parishes extending five or six, and in the case of Northallerton, so far as sixteen miles from the borough town; and they, therefore, entreated his Majesty's Government either to adhere to the principle which they had laid down; or to let Richmond and other towns, have the same advantages which were thus extended, contrary to the general rule, to a few favoured places. Now he would say, "*Non meus hic sermo*"—these were not his representations, they were those of staunch reformers—of trusty Whigs, who approved of the principle of the Bill, although its effect would be prejudicial to themselves. If the Committee were to go on thus violently, abrogating ancient rights and disfranchising corporations; let them, at all events, have one certain principle to go upon; let them

have some point on which they could settle or repose, and not be night after night driven about to every point of the compass, and end in the long-run by violating the rights, the franchises, and liberties, and, at the same time, insulting the common sense and common decency of the people of England. It might be said to him, "Move to disfranchise Calne and Aldborough, to curtail Northallerton, to amend Thirsk, to reform Malton, and clear away other anomalies;" but all that was not his business. He certainly would, at a proper time, oppose all these violations of principle, but at present he only wished to show the Attorney General, that the line which had been chosen had not been honestly pursued, and that St. Germain's had not been fairly treated. He confined himself to showing, that one borough was dealt with after one fashion, and another after another. If the Committee were to be severe, let it also be just. Do not let the people of Richmond, who were excellent Whigs, petitioners for the Bill—do not let them be disfranchised, while other places less deserving representation, were favoured merely to suit the convenience of Whig Ministers, or the interests of their immediate followers. If the Committee was to go arbitrarily to work, let it begin again. If no ancient landmarks were to be followed, let the whole be taken in a lump, let the country be divided into districts, and let the single vote be, that so many people shall return a Member. In that course, however objectionable on other grounds, there would be, at least, impartiality and justice; the course into which Ministers were dragging the House, and the partialities which they veiled under the soft name of anomalies was offensive to every feeling of fair dealing, and would be found intolerable when attempted to be brought into practice. Reverting, in conclusion, to the particular case before the Committee, he was convinced that there was no Member who heard him, and who would compare this case with the cases of Aldborough and Northallerton, and the others, who would not feel, that St. Germain's ought to be replaced, where it originally stood, in schedule B.

Lord *J. Russell* said, this question was so exhausted that he would not protract the discussion; and as to the observations of the right hon. Member (Mr. Croker), they had been repeated for the hundredth time. They had as often times been re-

peated, and no farther answer was now necessary. The right hon. Gentleman must have surprised his own friends at the other side of the House by his many exaggerations, which he (Lord *J. Russell*) could not avoid saying, were biassed by strong and manifest feelings of a character which it would not now be necessary to describe. The right hon. Gentleman had alluded to the partiality of his Majesty's Ministers in the selection of boroughs which they considered it necessary to place in schedules A and B. But when he laid so much force upon Calne, why did he forget such places as Buckingham, Oakhampton, Bridgewater, and many others, which were to be retained in schedule B? Why did he forget Westbury and Tamworth? The returns from many boroughs included the population of contiguous townships or parishes, as in the case of Amersham, and there were no effectual means of ascertaining the exact amount of the population. In other places the returns were more distinct; and if the Government, in bringing forward this Bill, had not acted upon principle, although it might operate as a hardship to certain boroughs, they never could have produced any general, or practical system of Reform. Night after night the same objections had been stated as to the maintenance of Calne in schedule B; party purposes were attributed to the Government in their selection, and he was sure, that in disclaiming any such object he should have the concurrence of the House and the country. The information which he had collected, convinced him, that it was necessary to be guided by the population returns. There were seventeen or eighteen boroughs similarly circumstanced with Calne, many of them being under the influence of Gentlemen at the other side of the House, and he supposed it would not be said, that all those boroughs were included in an arrangement made, for the sake of the support which his Majesty's Government would derive from the four or five Members from Calne, and Horsham, and Morpeth, opposed as they would be by the thirty or forty others. Richmond was much more likely to engage the partiality of his Majesty's Government than Northallerton, if they suffered themselves to be actuated by such a feeling. But the list of boroughs which they had treated in the same way with Calne, was the best proof that they had no sinister motive. Of

these the great majority were in favour of the hon. Gentlemen opposite. And as to the statements made by the right hon. Gentleman, they had been extremely exaggerated. If all the nomination boroughs, great and small, were proposed to be disfranchised, he thought his Majesty's Government would have done much better—yet that was not practicable. So much for the right hon. Gentleman's general statements. As to the particular case, he maintained that there was no analogy between the state of St. Germain's and Calne. In the former, the population which was proposed to be added to it would so completely overwhelm the small population of the borough as to leave it no influence. In fact, he could see no other fair comparison which could be drawn between the two places but in the extent of the adjoining parishes.

Mr. *Croker* asked the Committee if the noble Lord, who had repeatedly accused him of exaggeration, had disputed a single one of the facts which he had stated?

Mr. *Stanley* said, it was rather strange that the right hon. Gentleman should persist in casting imputations upon others, whilst he was so sore when any of his own positions were controverted, and these imputations had been cast in a manner not to be expected from the right hon. Gentleman. He was surprised, that the right hon. Gentleman should again and again reiterate his charges of party and corrupt motives against the framers of the Bill, forgetting all the time, that whilst he alluded to three boroughs, which he thought were favourable to imputations, there were fourteen others which might be referred to by Ministers as striking instances of their impartiality; and in this calculation he (Mr. Stanley) only alluded to such boroughs as came within the description given by the right hon. Gentleman. The whole borough of St. Germain's did not include more than fifty acres, and the population was so insignificant, that it would form but too small a moiety of the parish to which it was proposed to attach it in the Representation. In fact, the right hon. Gentleman had forgotten to mention the great feature which distinguished the case of Calne from that of St. Germain's—namely, that in the borough of Calne there were 2,000 inhabitants, whereas, in St. Germain's there were only 500. In the borough of Aldborough they

had found a neighbouring town so closely adjoining Aldborough, as almost to be said to form one town with it, capable of giving the requisite constituency, and therefore they had joined the two together, and put that borough into schedule B; but that was not the case with St. Germain's, and therefore he should oppose the proposition of the right hon. Gentleman.

Mr. *Croker* observed, that the noble Lord had not answered a single point which he had advanced; and the right hon. Gentleman (another great gun of the party) who had followed him, had left the question in nearly the same state. The two hon. Members, in their exertions, reminded him of the old story, where a master called out to his servant, "Jack, what are you doing?" and the answer was, "Nothing, Sir."—"And," continued the master, "what are you doing, Tom?"—"Why, Sir, I'm helping Jack." He had instituted a comparison between St. Germain's and Calne, on the principle of including the borough within the parish, but his comparison of the number of electors and houses of the former was drawn with regard to Aldborough. He had expressed pleasure at this comparison, because there could be no suspicion of partiality. All his other statements relating to facts had not been proved to be incorrect.

Mr. *Praed* said, it was a strange argument, for Ministers to say, that the parish adjoining St. Germain's would have too great an influence. This was nothing short of saying, that they did not wish to give any additional influence to the landed interest. The conduct of Ministers, with respect to Downton and St. Germain's, reminded him of the Scotch steward, who having been directed to hang up a malefactor at one side of an avenue, thought proper to hang up an innocent person at the other side, merely for the sake of uniformity.

The Committee divided:—Ayes 260; Noes 212—Majority 48, and St. Germain's was inserted in schedule A.

List of the AYES.

Acheson, Viscount	Baring, Sir T.
Adam, Admiral C.	Baring, F. T.
Adeane, H. J.	Barnett, C. J.
Althorp, Viscount	Bayntun, Captain
Astley, Sir J. D.	Belfast, Earl of
Atherley, A.	Benett, John
Bainbridge, E.	Berkeley, Captain
Barham, John	Biddulph, R. M.

Blake, Sir F.	Graham, Sir J. R.	Macauley, T. B.	Rumbold, C. E.
Blamire, W.	Graham, Sir S.	Macdonald, Sir J.	Russell, Lord J.
Blankney, W.	Grant, Right Hon. C.	Mackintosh, Sir J.	Ruthven, E. S.
Blunt, Sir C.	Grant, Right Hon. R.	Macnamara, W.	Sandford, E. A.
Bodkin, John J.	Grattan, James	Mangles, James	Scott, Sir D.
Bouverie, Hon. D.	Greene, T. G.	Marjoribanks, S.	Sebright, Sir J.
Bouverie, P. P.	Grosvenor, Hon. R.	Marshall, W.	Skipwith, Sir G.
Boyle, Hon. J.	Guise, Sir B. W.	Martin, John	Slaney, R. A.
Brabazon, Viscount	Gurney, Richard H.	Mayhew, W.	Smith, John A.
Brayen, Thomas	Hawkins, H.	Milbank, Mark	Smith, John
Briscoe, John I.	Handley, W. F.	Mildmay, P. St. John	Smith, Robert V.
Brougham, W.	Harcourt, G. V.	Mills, J.	Smith, Geo. R.
Brougham, J.	Harty, Sir R.	Moreton, Hon. H.	Stanhope, Captain R.
Browne, D.	Harvey, D. W.	Morpeth, Viscount	Stanley, Lord
Bulkeley, Sir R.	Heathcote, G. J.	Morrison, James	Stanley, J. E.
Buller, James W.	Heywood, B.	Mostyn, E. M. L.	Stanley, Right Hon. E.
Bulwer, H. L.	Hill, Lord A.	Mullins, F.	Stewart, C.
Bunbury, Sir H.	Hill, Lord G. A.	Musgrave, Sir Richard	Stewart, Sir M.
Burdett, Sir F.	Hobhouse, J. C.	Newark, Viscount	Stewart, Patrick
Burton, Henry	Hodges, Thomas L.	Newport, Sir J.	Strickland, George
Buxton, Thomas F.	Horne, Sir W.	Noel, Sir G.	Strutt, Edward
Byng, George	Hort, Sir W.	North, Frederick	Stuart, Lord P.
Calcraft, G. H.	Hoskins, K.	Norton, C. F.	Tennyson, Charles
Callaghan, D.	Howard, P. H.	Nowell, Alexander	Thicknesse, R.
Calvert, Charles	Howard, R.	Nugent, Lord	Thompson, Wm.
Calvert, Nicholson	Howick, Viscount	O'Connell, D.	Thomson, C. P.
Calley, Thomas	Hudson, T.	O'Connell, M.	Throckmorton, R.
Canning, Sir S.	Hughes, W. H.	O'Grady, Col. S.	Tomes, John
Carter, John B.	Hughes, J.	O'Neill, Gen.	Torrens, Colonel
Cavendish, W.	Hughes, Colonel L.	Ord, William	Townshend, Lord C.
Chapman, M. L.	Hume, J.	Osborne, Ld. Francis	Trail, George
Chaytor, W. R. C.	Hunt, Henry	Paget, Sir C.	Troubridge, Sir E.
Chichester, Sir A.	Ingilby, Sir W. A.	Paget, Thomas	Tyrrell, Charles
Clive, E. B.	Innes, Sir H. Bart.	Palmer, General C.	Tynte, Charles
Cradock, Colonel S.	James, W.	Parnell, Sir H.	Venables, W.
Crampton, P. C.	Jeffrey, Right Hon. F.	Payne, Sir P.	Vere, James J. H.
Creevey, Thomas	Jephson, C. D. O.	Pendarvis, E. W.	Vernon, Hon. G.
Cunliffe, Offley	Jerningham, H.	Penleaze, J. H.	Villiers, F.
Currie, John	Johnstone, J.	Penrhyn, E.	Vincent, Sir F.
Curteis, H. B.	Johnstone, Sir J.	Perrin, Louis	Waithman, R.
Dawson, Alexander	Johnstone, J. J. H.	Petit, Louis H.	Walker, C. A.
Denison, W. J.	Kemp, T. R.	Petre, Hon. E.	Warburton, H.
Denman, Sir T.	Kennedy, T. F.	Philips, Sir R.	Warre, John A.
Dixon, Joseph	Killeen, Lord	Phillips, C. M.	Wason, W. R.
Doyle, Sir J. M.	King, E. B.	Phillips, G. R.	Watson, Hon. R.
Duncombe, T. S.	King, Hon. R.	Polhill, Captain F.	Webb, Colonel E.
Dundas, Hon. T.	Knight, Henry G.	Ponsonby, Hon. W.	Westenra, Hon. H.
Dundas, Charles	Knox, Hon. J. H.	Ponsonby, Hon. G.	Weyland, R.
Dundas, Hon. Sir R.	Knox, Hon. T.	Power, Robert	Whitbread, W.
Ellice, E.	Labouchere, H.	Poyntz, W. S.	Wilks, John
Ellis, Wynn	Lambert, J. S.	Price, Sir R.	Williams, Sir J.
Etwall, Ralph	Lambert, Henry	Protheroe, E.	Williamson, Sir H.
Evans, Colonel	Lawley, Francis	Pryse, Pryse	Winnington, Sir T.
Evans, W. B.	Leader, N. P.	Ramsbottom J.	Wood, Matthew
Evans, W.	Lee, John L. H.	Rider, Thomas	Wood, John
Ewart, W.	Lefevre, C. S.	Robarts, A. W.	Wood, Charles
Ferguson, General	Lemon, Sir C.	Robinson, Sir G.	Wrottesley, Sir J.
Ferguson, R.	Lennox, Lord W.	Robinson, G. R.	Young, John
Fitzroy, Lieut.-Col.	Lennox, Lord J. G.	Rooper, J. B.	TELLER.
Fitzroy, Lord J.	Lennox, Lord A.	Ross, Horatio.	Rice, Right Hon. T. S.
Foley, Hon. J. H.	Lester, Benjamin		
Foley, Hon. T.	Littleton, E. J.		
Folkes, Sir W.	Lloyd, Sir E. P.		
Fox, Lieut.-Colonel	Loch, James		
French, Arthur	Lyon, D.		
Gillon, W. D.	Maberly, Colonel W.		
Gisborne, Thomas	Maberly, John		

Paired off in Favour.

Anson, Sir G.	Byng, George S.
Anson, G.	Coke, Thomas W.
Belgrave, Earl of	Dundas, Hon. J. C.
Bernard, Thomas	Duncannon, Viscount
Brownlow, C.	Easthope, John

Ebrington, Viscount	Lushington, Dr. S.
Foster, James	Morison, John
Fordwich, Lord	Sheil, Richard L.
Godson, Richard	Stewart, Pat.
Grosvenor, Hon. E.	Tavistock, Marquis
Heron, Sir R.	Waterpark, Lord
Hutchinson, J. H.	White, Samuel
Loch, J.	Williams, John

The next question was, "that the borough of St. Mawe's be placed in schedule A."

Mr. *Piggott* said, this borough fell so clearly within the line of disfranchisement, that he did not expect it would be allowed to continue to send Representatives. The influence prevailing there was property, and had never been improperly exerted.

Mr. *Cresset Pelham* said, that although he had never had the honour to sit for the borough of St. Mawe's, he had represented a borough that was very near it, and he knew something of its history and constitution. It was owing to a noble relative of his (Lord Chichester) that that borough was always an independent borough. Endeavours had not been wanting to constitute it a Ministerial borough, but the determination of the noble Lord had effectually defeated that object. It was therefore that he rose to recommend the exclusion of St. Mawe's from schedule A.

Motion carried.

The Committee then agreed, that the borough of St. Michael, or Midshall, Cornwall, do form part of schedule A.

On the motion "that the borough of Saltash do form part of schedule A."

Mr. *Croker* declared, that if the Ministry intended to act upon the principle of taking a borough and parish together, when they would, if united; give a sufficient constituency, the borough of Saltash ought not to be totally disfranchised. That borough formed part of the parish of St. Stephen, and the inhabitants of the borough were married and buried in the Church of St. Stephen. The name of the parish itself was the parish of St. Stephen *juxta* Saltash, but it was called Saltash for shortness. The borough itself contained a population of 1,500, and, united with the borough, the population amounted to 2,800. Having simply stated these circumstances, he should move that it be transferred from schedule A to schedule B.

Lord *Althorp* said, he felt bound to admit, that the borough of Saltash was the weakest case of the boroughs placed in schedule A. They had considered that

this was one of the cases in which the borough and parish were separate and distinct from each other. The facts which the right hon. Gentleman had stated, and which he (Lord Althorp) was not able completely to controvert, had induced him to entertain some doubts of the propriety of their decisions. He only hesitated upon the question, whether the population of the parish was properly to be considered as part of the population of the borough. He admitted, that the population of the parish was considerable, and that there were many persons of considerable wealth who resided in the agricultural district of the borough. Under these circumstances, he was willing to leave it to the House to decide whether they were right or wrong in putting the borough into schedule A. He repeated, that from the information he now possessed, he thought the case was one of doubt.

Mr. *Croker* observed, that after the very fair and caudid statement made by the noble Lord, he should not say more upon the subject, beyond repeating his conviction that the case was one which required the borough to be transferred to schedule B, and putting it to the noble Lord, whether, even upon his own showing, it ought to be permitted to remain where it now was?

Mr. *Frederick Villiers* said, that after the statement of the noble Lord, it was unnecessary for him to enlarge upon the claim of Saltash to be excluded from schedule A. The borough was in the centre of the parish or town of St. Stephen; they were completely identified; the tithes were all paid to the same clergyman, and they ought to be united together, and be allowed to return one Member.

Lord *Milton* hoped, that the borough would be kept in schedule A. He thought it was desirable that they should not abandon the rules they had once laid down. He had shown the sincerity of his desire of adhering to those rules, by the two votes he had given against his noble friend on the question they had just decided, and on the question of Downton; and he should still act upon the principle of strictly following up the rules they had once adopted. He did not think, that grounds for exempting this borough from the operation of schedule A had been made out with anything like the same degree of strength in this case as in that of Aldborough. The borough of Saltash might be a part of the parish of St. Ste-

phen; but it was not—if he might use such an expression—the metropolis of that parish. It might contain the greatest mass of people that was to be found in any one place in that parish; but still it was not the metropolis of that parish. It was not properly, and strictly, and legally a part of the parish. He thought not. The borough of Saltash did not contain within itself the parish church of St. Stephen; and the very name of the parish showed that the borough and parish were not legally connected together, for the name was St. Stephen *juxta* Saltash. That was a decisive proof, that the mother church of St. Stephen was not part of the borough of Saltash. Now, it appeared to him, that if Saltash was taken out of schedule A, the Committee would be abandoning the rule laid down in the case of Beeralston.

Sir *Anthony Buller* supported the proposition to transfer the borough of Saltash to schedule B.

Lord *John Russell* admitted, that the case of Saltash was certainly on the confines of the rule which the Government had laid down. He believed, that the borough and chapelry were not separated from each other. He should not, therefore, press the total disfranchisement of this borough; but should leave it in the hands of the House, to deal with it as they thought fit.

The question was put, that Saltash stand part of Schedule A, and the Committee divided; Ayes 150; Noes 231—Majority 81. The borough of Saltash was therefore transferred to Schedule B.

List of the AYES.

Astley, Sir J.	Calcraft, G.
Atherley, A.	Callaghan, D.
Baillie, J. E.	Calvert, Charles
Bernard, Colonel	Calvert, N.
Bainbridge, E.	Calley, Thomas
Blamire, W.	Cavendish, W.
Blankney, W.	Clive, E. B.
Blount, Edward	Currie, John
Bodkin, J. J.	Curtis, Herbert
Brabazon, Lord	Dawson, A.
Brayner, Thomas	Denison, W. J.
Brougham, J.	Denman, Sir T.
Browne, Dom.	Dixon, Joseph
Brownlow, C.	Doyle, Sir J. M.
Bulwer, E. E. L.	Duncombe, T. S.
Bulwer, H. L.	Dundas, Charles
Bouverie, P.	Dundas, Hon. Sir R.
Bunbury, Sir H.	Ellis, Wynn
Burdett, Sir F.	Etwell, Ralph
Burke, Sir John	Evans, Colonel
Burrell, Sir C.	Evans, W. B.

Ewart, W.	Musgrave, Sir R.
Ferguson, Robert	Noel, Sir G.
Ferguson, Gen.	Nugent, Lord
Fergusson, R. C.	O'Connell, D.
Fitzgibbon, Rt. Hon. R.	O'Connell, M.
Folkes, Sir William	O'Grady, Hon. Col.
Gillon, W. D.	Osborne, Lord F.
Gisborne, Thomas	Paget, Thomas
Graham, Sir S.	Parnell, Sir H.
Grattan, James	Perrin, Louis
Gurney, R. H.	Petre, Hon. E.
Hawkins, J. H.	Phillips, C. M.
Handley, W. F.	Ponsonby, Hon. G.
Harty, Sir R.	Power, Robert
Heathcote, Sir G.	Pryse, Pryse
Heywood, B.	Ramsbottom, J.
Hobhouse, J. C.	Rickman, Mr.
Hoskins, K.	Rider, Thomas
Howard, P. H.	Roberts, A. W.
Howard, Henry	Robinson, Sir G.
Hudson, Thomas	Rooper, J. B.
Hill, Lord A.	Ross, Horatio
Hughes, Hughes	Russell, John
Hulse, James	Ruthven, E. S.
Hume, Joseph	Sanford, E. A.
Hutchinson, J. H.	Smith, John
Ingilby, Sir W.	Stanhope, Captain
James, W.	Stanley, E. J.
Jephson, C. D. O.	Stanley, Lord
Johnstone, J.	Stevenson, Mr.
Kennedy, T. F.	Stewart, Sir M. S.
Killeen, Lord	Strutt, Ed.
King, E. B.	Stuart, Lord James
King, Hon. R.	Thicknesse, R.
Knight, Robert	Throckmorton, R.
Lamb, Hon. G.	Tomes, John
Lambert, Henry	Trail, George
Lambert, J. S.	Tynte, C. K. K.
Langton, Colonel G.	Venables, W.
Leader, N. P.	Vincent, Sir F.
Lefevre, C. S.	Waithman, Alderman
Lloyd, Sir E. P.	Walker, C. A.
Loch, James	Wason, W. R.
Lumley, John S.	Webb, Colonel
Maberly, Colonel W.	Western, C. C.
Mayhew, William	Westenra, Hon. H.
Mackenzie, J. A.	Weyland, Major
Macnamara, W.	Wilks, John
Mangles, James	Williamson, Sir H.
Marjoribanks, S.	Winnington, Sir T.
Marshall, William	Wood, John
Mildmay, P. St. J.	Warburton, H.
Milton, Viscount	Wyse, Thomas
Moreton, Hon. H.	White, Samuel
Morrison, James	TELLER.
Mullins, Frederick	Hunt, Henry.

The next question was, "that the borough of Old Sarum stand part of schedule A."

Sir *C. Forbes* said, that he could not allow this borough to be disfranchised without saying, that the two hon. Members who represented it were as independent as any hon. Members in that House. The noble Lord who had introduced this Bill had said, in a publication of his, that

he should no more think of touching Old Sarum, than of touching the ground on which Old Sarum stood. The noble Lord now, not only touched, but proposed to annihilate Old Sarum.

Mr. *O'Connell* was apprehensive, when the hon. Member rose, that the hon. Member had made a discovery of some place to which Old Sarum could be united and that they should be told of a parish *juxta* Old Sarum. It was with regard to this borough that Lord Camelford had put an advertisement into the newspapers, in which advertisement that noble Lord pledged himself, that if he lived till the next election, he would send his negro servant into the House as member for Old Sarum. He had read this in the newspapers himself, and no one could doubt the right of his Lordship to have redeemed his pledge if he pleased, and if the negro were born under the British flag, his Lordship would only have had to give the negro a qualification, and then he might have sent him in in his livery. Other Members had been sent into that House often enough for rotten boroughs, who, if they had not worn livery, had been quite as much under the control of their patrons as this negro could possibly have been under the control of Lord Camelford;—ay, and there had also been Members enough for rotten boroughs who had been quite as black inside as the swarthiest negro could be outside. He spoke, of course, of former Parliaments, not of the present Parliament.

Mr. *C. W. Wynn* had only to say, that there was not the slightest foundation for the story which the hon. and learned Member had narrated.

Mr. *Cutlar Ferguson* thought there was no occasion for any one to speak against Old Sarum, as he believed no one could be found to speak for it. He believed Old Sarum to be the least objectionable of all the boroughs which they had so properly destroyed. He admitted, that his two hon. friends who were members for it were as independent as any hon. Members in the House; but then, unfortunately, they were the Representatives of themselves, and not of the people. One of them was an hon. colleague of his, a Director in the East-India Company. Out of twelve persons connected with that body who had seats in Parliament, only two or three sat for places touched by this Bill. He said this in reply to the re-

mark that had been made, that the measure at present under consideration would shut out persons connected with that Company, and generally with commerce.

Mr. *O'Connell* would not have risen again but for the contradiction he had received from the right hon. Gentleman (Mr. *C. W. Wynn*). He had said, and he now repeated, that he had read the story in the newspapers. Did the right hon. Gentleman mean to contradict that? And farther, did the right hon. Gentleman, who was so well versed in parliamentary law, mean to deny, that Lord Camelford might have returned his Negro servant if he had pleased?

Mr. *C. W. Wynn* thought he had heard the hon. and learned Gentleman say, that he had read such an advertisement of Lord Camelford's in the newspapers. Now, the fact was, that what Lord Camelford did advertise in the newspapers, was an unqualified contradiction of the story, and a declaration that he had never entertained the intention which that story imputed to him.

Sir *J. Malcolm* begged to notice an impression which might have been made by the statement of his hon. and learned friend the member for Kirkcudbright. That hon. Member had stated, that only three out of twelve Directors of the East-India Company who were in Parliament, sat for close, or nomination boroughs. But he begged the House to recollect, that a great proportion of the Directors were wealthy London merchants, who had never been in India, and of course had none of the local knowledge which was so essential to the good government of that country. The interests of our Indian empire demanded that some Members of this House should be well acquainted with that country.

Sir *C. Wetherell* said, that the hon. member for Kirkcudbright was very much in error in supposing, that no one was inclined to say a word in favour of Old Sarum, for Old Sarum was a burgage tenure borough, and he certainly was opposed to the disfranchisement of it, on the grounds which he had stated when the borough of Bletchingley was before the Committee.

Mr. *Attwood* said, that as they had been told that a Negro might have been returned for Old Sarum, they ought to be told who had been returned for it. Old Sarum had returned Lord Chat-

ham. The noble Lord who introduced this Bill had said, not in the heat of debate, but in print, that Old Sarum ought not to be touched, except upon grounds as strong as those which expelled King James from the throne. He called upon the House to observe how the principles of the noble Lord had changed. This was the particular borough which was the subject of Mr. Locke's defence, who, in a most elaborate argument, had denied the right of Parliament to disfranchise it, unless a clear case of corruption was made out against it. This borough, at the time he wrote, was quite as much decayed as now.

The question "That Old Sarum stand part of schedule A," was then put and agreed to.

The next Motion was, "That the borough of Seaford stand part of schedule A."

Mr. *Lyon* said, that Members were constantly in the habit of abusing what they called rotten boroughs, and talking of the improper means by which Members were returned for them. Now he was member for this borough, which had been classed among the rotten boroughs, and he challenged any hon. Member to rise in his place and say by what improper means—either of control or purchase—he had obtained his seat. He did not rise for the purpose of asking that the borough of Seaford should be taken out of schedule A; but he was induced, from the fair and honourable conduct of Ministers with regard to Saltash, to make a suggestion, which he hoped would be attended to. Seaford stood precisely in the same situation with regard to Hastings, as Sandwich with regard to Walmer and Deal; and he submitted, that if Seaford were joined with Hastings, for the purposes of Representation, the principle of the Bill would not be infringed. He wished further, to ask the noble Lord what was to be done with the peculiar laws by which the cinque ports were governed? They were burthened with certain expenses in return for the privilege of sending Members to Parliament, but if the electors of Seaford were not to be allowed to vote for Members with Hastings, they ought not to be called on to pay the charges with which they were now burthened.

Lord *John Russell* would agree to any arrangement by which the electors of Seaford would be prevented from paying any expenses to which they were not fairly liable.

Mr. *Cresset Pelham* said, that Seaford ought to be joined with the rape of Pevensey, which would give that side of the county of Sussex a more equal share in the Representation.

Colonel *Evans* wished to ask the hon. member for Seaford, whether Hastings by the operation of the present Bill, would not contain 900 voters.

Mr. *W. Lyon* replied, from papers on the Table, for he had no other source of knowledge, be believed there would be about 500.

Sir *Charles Wetherell* thought Seaford should be annexed to another borough, on the same principle as Sandwich. It was to lose both its Members, and Rye only one. These arrangements were so contrary to all principle, that they must be explained when they came to consider the other schedules. He reserved to himself the right of reconsidering the case of this borough hereafter.

Motion agreed to.

The next motion was, "That the borough of Steyning stand part of schedule A."

Sir *Charles Wetherell* was surprised, that while Sussex was thus cruelly shorn of its boroughs, neither of the hon. members for that county had risen to say a syllable upon any one of them. One would almost suppose, that Sussex had already been deprived of its two county Members. He had been considering where all these boroughs would go to, but, upon looking farther into the Bill, he saw that most of them would travel Northwards, and, perhaps, be buried in the collieries of Durham. Indeed, if he had to give this Bill a name, he should be very much disposed to call it the Durham Act.

Lord *George Lennox* begged leave to inform the hon. and learned Gentleman, that one of the members for the county of Sussex was present, and he would also tell him the reason wherefore he did not oppose the disfranchisement of this borough, as that hon. and learned Gentleman supposed to be his duty. He had not so much confidence as to rise up in that House, and persist in the defence of a bad cause. But he would be the last man in that House to abandon any good and honourable cause, of which he should think it his duty to undertake the defence. The hon. and learned member for Boroughbridge had referred to his (Lord George Lennox's) constituents. He should remind

the hon. Gentleman, that one of those constituents was a Member of that House, and that one of the freeholders of the county of Sussex had found opportunities to say a word in defence of every individual borough in the schedule.

Mr. *Curteis* said, that he would not then address the House from an unusual place [the hon. Member spoke from the gallery], but for the purpose of setting the hon. and learned Member right, and assuring him that he had been in the House at the discussion, not only upon that, but upon every other borough. He had long since been of opinion, that the borough of Steyning was a discredit to Sussex. It had never been represented by gentlemen at all connected with that county. Therefore, the influence of the people of Sussex in the Representation would not be in the slightest degree weakened by the disfranchisement of Steyning. As he was on his legs, he would take the opportunity of thanking the hon. Gentleman opposite (Sir C. Wetherell) for what he had said respecting him on a former evening. It was not often that he (Mr. *Curteis*) spoke in that House. But he trusted that he was not so deficient in spirit that he should not reply to attacks made upon him, in that House or elsewhere; and when the learned member for Boroughbridge said, that at a future election he would not give him (Mr. *Curteis*) his votes, he would take leave to say, that he would not condescend to ask him: and moreover — whenever that learned Gentleman should again be candidate for the University of Oxford, he would not support him, as he did on a former occasion.

Sir *Charles Wetherell* was at a loss how to reply, particularly as he was obliged to look up to the hon. member for Sussex. That Gentleman had quite the advantage of him now, and could look down upon him, thinking, probably, like Swift, that it added greatly to the effect of an oration to deliver it from an eminence. The Gentleman had, no doubt, a very proper contempt for the freeholders of Sussex. [Mr. *Curteis*: No.] It was not necessary for him to reciprocate that contempt. When he said, that he should not vote for the hon. Gentleman, he intended him no personal disrespect, but because he did not think that he had supported the interests of his constituents in the discussion of the Bill. He confessed he did not think the people of Sussex agreed with the hon.

Gentleman in his opinions respecting Reform. As to that portion of the county by which the return of the hon. Gentleman was secured, he could speak as confidently as any person could from his own knowledge, that the people were not friendly to the Bill. [Mr. *Curteis*: They are.] Neither were the freeholders in the neighbourhood of Chichester friendly to Reform [*question*]. Hon. Gentlemen need not suppose that they should compel him to depart from the question. He concluded by repeating, that the members for Sussex had not been returned on the principles on which they were now acting.

Lord *George Lennox* asserted with confidence, that ninety-nine persons out of every hundred in the county of Sussex were Reformers. He could speak more confidently as to their opinions than could the hon. and learned member for Boroughbridge, because he had canvassed every town and village of the county, and in every part, East and West, the freeholders declared that they would vote only for Reformers.

Captain *Berkeley* having an estate in that county, was able to confirm the statements of the noble Lord who spoke last. On the occasion of the late election, he had inquired into the opinions of his tenants; and they were every man determined to go to the poll and vote for the Reform candidates, without putting those candidates to one farthing expense.

An *Hon. Member* bore testimony to the strong feeling which prevailed throughout Sussex in favour of the Reform Bill.

Mr. *Hunt* knew something about that same borough of Steyning, although he was not a Sussex man; but he was afraid that what he had to say about it would do little to save it from disfranchisement. It was his acquaintance with that place that first made him a Reformer. If the House would bear with him for a few minutes, he would tell them a story. He would promise that it should not be a long one. A gentleman from Steyning had dined with him one day, and that gentleman was an agent to the Duke of Norfolk, and was going down to the House of Commons, after dinner, on business for the Duke. He accompanied his friend, and when they came to the lobby, there they met one of the members for Steyning coming out of the House. "Where are you going?" said the Duke's agent, taking the Member

by the arm. The Member replied, that he had paired off with another Member, and that he was going to dinner. "Oh!" said the agent, "that won't do; you must go back and vote. The Duke sent me down to tell you that you must vote." And so the member for Steyning went back. He (Mr. Hunt) knew very well that the Duke of Norfolk was not in the habit of interfering with the Members, except on particular occasions. But then on some occasions he did so. He meant the late Duke, not the present. The gentleman who had dined with him (Mr. Hunt), had been on that particular occasion sent down to the House to watch that they didn't shirk off. He had long suspected that some of the combatants upon his (the Opposition) side of the House were fighting with muffled gloves on; but he was now satisfied that it was so, as the division upon Saltash was an evident cross.

Mr. *Ridley Colborne* would not go into a discussion of the old story which had been raked up about Steyning; but he would tell the House what was the feelings at the last election in that borough respecting the question now under consideration. The candidates fully explained to the electors what would be the effect of that Bill in depriving them of their franchise, and they were, notwithstanding, unanimous in their approbation of the measure.

Mr. *George R. Philips*, as one of the members for Steyning, begged leave to confirm the statement of the hon. Gentleman who had just sat down.

Motion agreed to.

Stockbridge and Tregony were also placed in the clause without any observations.

On the question being put, "that Wareham stand part of the same clause,"

Mr. *George Bankes* said, that if the Members for that borough were present, he should think it his duty to call on them to represent to his Majesty's Government the case of their constituents. As he did not see those Gentlemen in their places, he would undertake the advocacy of Wareham in their stead, and he trusted that he should make out as good a case as had been made out for another borough that evening. A memorial had been presented in April last from that borough, to one of his Majesty's Ministers, in which it was stated, that a petition had been presented

to Parliament, signed by 200 inhabitants of that place, which showed that it possessed a population which entitled it to be taken out of the list of disfranchised boroughs. From that petition, it appeared that the population of the borough, even according to the return of 1821, amounted to 1,931 persons, and the petitioners stated, that if the population of a parish in the borough, which amounted to 134 persons, and which ought not to have been omitted in the return, had been included in it, it would have given the borough a population of 2,065 persons in 1821, which would clearly have saved it from disfranchisement. The disfranchisement of this borough, therefore, appeared to him to be totally indefensible. Even on the principles laid down by the noble Lord, it was unjustifiable to disregard the claims of that borough to retain a part of its Representation. So far from being an inconsiderable or decreasing place, Wareham was populous, and greatly increasing in prosperity.

Mr. *Granby Calcraft* had been desirous to preserve that borough, of which he was one of the Representatives, if he could do so without an unnecessary impediment in the way of his Majesty's Government. Indeed, up to the last week, he had thought that he could make out a sufficient case for its preservation, but he was convinced, by the decisions of the House in the case of Appleby and Downton, that he "had not a leg to stand on" in the defence of Wareham. It was utterly impossible for him, therefore, to save it, and it did not appear to him that there would be any good in attempting to throw a useless impediment in the way of that great measure, which, whatever impediments might be thrown in its way, must be finally carried.

Lord *Encombe* did not think, that the members for Wareham did justice to their constituents when they abandoned them to disfranchisement without making any effort in their defence. In the levying of the assessed taxes this year, the Chapelry of Ard had been included in the borough of Wareham, and their united population would clearly exempt Wareham from disfranchisement.

Mr. *George Robinson* said, that besides the deficiency of the population, without taking in the Chapelry, which was four miles distant from the borough, there was another reason for the disfranchisement of Wareham. The hon. Gentleman who had

undertaken the defence of the borough was as well aware of that reason as was he (Mr. Robinson); and if he were as ingenuous as the hon. Member for that place he would have acknowledged it: it was this—that it was impossible to find a sufficient and independent constituency under the present Bill, if even the Chapelry of Ard were added to Wareham, and Corfe Castle thrown in with them.

Lord *John Russell* said, that there was no reason whatever that Ard should be considered part of the borough; it was a perfectly distinct place, and had been so stated in the population returns both of 1821 and 1831.

Mr. *George Bankes* begged to say, in reply to the hon. member for Worcester, that he had been in Wareham three weeks ago; and having seen there a very considerable number of new buildings, he necessarily supposed, that it was improving, and that it could produce a respectable constituency. As one of the Members for the borough had not thought it necessary to be present and defend his constituents, and the other Member, being present, had abandoned their cause, he (Mr. G. Bankes) would not be so Quixotic as to persist in defending it.

Sir *Charles Wetherell* supported the view which the hon. member for Corfe Castle had taken of the case of Wareham. Had he been one of the Members for that borough, he should have been present and said "No" to the proposed disfranchisement. He wished the case of this borough to be adjourned, that more satisfactory evidence of its population and extent might be obtained. The difficulty was, whether the Chapelry of Ard came within its limits? It had been laid down, that the ecclesiastical division was to be the rule: if that was the case, this Chapelry undoubtedly ought to be included, although it was not contiguous, and here was the difficulty, to other parts of the parish. They had yet no sufficient knowledge of the principles on which the plan was founded.

Mr. *Granby Calcraft* said, that though he did not think, that he could make out a case for the non-disfranchisement of Wareham, as unfavourable decisions had been come to with other boroughs better entitled to return Members than it, yet he wished to correct a statement of the hon. member for Worcester. He was bound to say, that it was by no means a declining borough. Its population at present

was 2,500. As the payment of taxes was considered an index of respectability, he wished to add, that with the exception of Minehead, Wareham paid a larger amount of assessed taxes than any other borough in the schedule.

Mr. *George Robinson* had some property in Wareham, and it was his interest to make the borough as respectable as possible. He was convinced, however, that the inhabitants derived no advantage from the franchise, and it would be impossible not to treat Wareham in the same way as other boroughs in similar circumstances.

Motion agreed to.

Wendover and Weobly were placed in schedule A, without comment.

On the question "that Whitchurch should stand part of schedule A."

Mr. *Townshend* would have defended the right of that borough to send Members on the principle of burgage tenure, but in similar cases it had been decided against his views, and he would not revive the argument. He wished, however, to declare, that although he had been accused as being a Member for a "rotten" borough, yet if he had conscientiously thought that the measure before them tended to the interest of the country, he should have been foremost in its support. Believing the contrary, he would oppose it heart and hand.

Sir *S. Scott* asserted, that the votes at Whitchurch had never been bought or sold, and the constituency was most respectable

Question agreed to.

On the question "that Winchelsea stand part of schedule A,"

Mr. *Curteis* stated, that he had that day received a petition from Winchelsea, complaining of being disfranchised. The petitioners stated, that the borough was very ancient, that by their charter they were obliged to contribute ships and men for the King's Service and to support state prisoners, which entailed heavy expenses on them. If they were deprived of their franchise, they ought not to continue to pay those expenses. The liberty of the town extended to the two parishes of Icklesham and Pett, and if these two parishes were included within the liberty and the town of Winchelsea, it would contain 2,826 inhabitants. The petitioners concluded by saying, that although favourable to Reform, they could not assent to the present measure, which would ruin their ancient town, and they were ready to

prove the truth of these statements at the bar of the House. He had done his duty in presenting the petition. He had no connexion with the town except living in its vicinity, and could not enter into the merits of the case, but hoped Government would fully consider them.

Sir *Charles Wetherell* saw in this another proof of the neglect of the authors of this measure in obtaining evidence; here was a borough containing nearly half as much again as the required number of inhabitants, overwhelmed by the tide of disfranchisement, washed by the ocean of the noble Lord from the shores of Parliament. But the time would yet come when the people would demand reasons for being deprived of their dearest rights.

The disfranchisement of Winchelsea agreed to.

On the question "that the borough of Woodstock stand part of schedule A,"

Lord *Stormont* said, this was almost the last borough to be disfranchised, and he begged to state as a reason why it should not be included in schedule A, that Woodstock was an increasing and thriving place. In the census of 1821, the population was erroneously stated. Besides Old Woodstock, there were to be reckoned New Woodstock, and the parish in which they stood. The population of these respectively was 403, 1,455, and 510, making together 2,368 souls. This number was sufficient to take Woodstock out of schedule A. From its circumstances it formed a peculiar case, and ought to be exempt from disfranchisement.

Lord *J. Russell* was of opinion, that Woodstock came strictly within the principle of schedule A. It was totally separated from the parish of Bladen, and the population of the borough did not equal the required amount.

Mr. *O'Connell* was authorised by the Marquis of Blandford, who had represented Woodstock during the last Parliament, and who was a true Reformer, to state that he did not believe Woodstock to be a nomination borough, because its freemen obtained their right by servitude, and it was not in the power of the noble owner to nominate a single individual to the freedom. The Mayor of the town only, on retiring from office, had the power to nominate one freeman.

Sir *C. Wetherell* thought, that the population was sufficient to take Woodstock out of schedule A.

Lord *Ashley* said, that it was impossible to draw the line between the three divisions of the town, and, therefore, they were all equally portions of Woodstock, the constituency of which formed a most independent set of men. It was by no means under the nomination of the Duke of Marlborough who could not control ten votes.

Lord *C. Churchill* said, that it was useless to oppose the disfranchisement of Woodstock; but at the same time he protested against the disfranchisement of any of the boroughs in schedule A. He was himself a Reformer, but he would never consent to rob Peter to pay Paul.

Question agreed to.

On the question "that Wootton Bassett stand part of schedule A,"

Lord *Mahon* thought, after the decision of the House, that he was bound to admit the principle of the Bill, and he could allege no special grounds of exemption. If, however, the number of voters had been taken, instead of the number of inhabitants, Wootton Bassett would have deserved to be saved: the registered voters amounted to 206, of whom 199 actually voted at the last election. He would not trouble the House with remarks of his own, but he would quote a passage from the writings of Lord Bolingbroke, who had been member for Wootton Bassett. Speaking of the causes which led to the fatal Civil War under Charles 1st, he said, "that this melancholy change was brought about and carried on by faction will not be denied. The sole question will therefore be, which was the factious side? Now, to determine this we need only inquire which side was for usurping; on the other, which was for preserving, and which for altering the established constitution of Government. On this point the question will turn; for, in a limited monarchy, it is certain that there may be conspiracies against prerogative, as well as conspiracies against liberty." The reflections of this eloquent writer seemed to him very applicable to the present times, and his example might furnish another instance, were any more required, of the advantage of these smaller constituencies, by introducing our ablest and most distinguished statesmen into Parliament.

Lord *Porchester* said, that although the names associated with the borough of Wootton Bassett would in better times have rescued that borough from destruc-

tion, still he knew of no peculiar grounds upon which he could call for the consideration of the Government, unless, indeed, they should now, at the eleventh hour of the massacre, be visited by any compunctious feelings, and if that were the case, he should be most happy to report to his constituents their improved courses. He had not partaken of the merriment with which the extinction of these boroughs had been heard by part of that House; on the contrary, he confessed that he had heard that extinction with pain, and the sound had come over him as the knell of a departed friend; of one who had done great service, and whose place could not be filled up by new associates. Hon. Gentlemen might sneer, but he would repeat the sentiment; and he only called upon those who did sneer, not to judge of others by themselves. He looked with apprehension and alarm at the whole measure, and to the last it should have his strenuous opposition. He declared, that he thought this Bill would speedily ruin the country, but in voting against the clause he wished it to be understood that he was not an enemy to Reform, but to the sweeping disfranchisement proposed by this Bill, which went to deprive his constituents of the most noble right of Englishmen.

Mr. *O'Connell* said, it was a great pity that the touch of Ithuriel's spear could dispel such agreeable fictions. If Wootton Bassett had returned Lord Bolingbroke to Parliament, it had also returned Mr. Walsh, who was expelled that House for fraud. The concerns of the borough were then exposed, as he became a bankrupt, and it was proved, that the price of a vote for Wootton Bassett was 21*l.*, which was the noble right of Englishmen. The two Lords who managed the concerns of the borough afterwards gave 25*l.* a piece for a vote, which made the noble right of Englishmen nobler still. Afterwards an individual recommended by a noble Lord gave 4,000*l.* for his seat—this was what England was to lose by getting rid of nomination boroughs. The good government and happiness of the people depended, they were told, upon the voters of a noble Lord being paid large sums to reward them for corruption. The Red Book, indeed, shewed that these boroughs could be made advantageous to certain individuals, if not to the country.

Lord *Mahon* adverted with considerable

warmth to a contradiction Mr. *O'Connell* had received, in the early part of the evening, relative to the borough of Old Sarum, when he had acknowledged himself in error, and expressed his surprise that the hon. and learned Member should again plunge into indecent personalities. The hon. and learned Member seemed only conversant with the low and base parts which must contaminate every system of Representation. He did not mean to make any defence, but to deny the charge. That was the first time he had ever heard what the hon. and learned Member said of Wootton Bassett; and after witnessing the contradiction the hon. and learned Member had received, as to Old Sarum, he could not believe that statement. He was warranted, after hearing the charge disproved which the hon. and learned Member had made against a noble Lord, not to believe what he had stated. He would add, that if there was corruption in that borough twenty years ago, that was not the case at present.

Mr. *Hume* thought, it was impossible to allow such words as "indecent personalities" to pass unnoticed, when what his hon. and learned friend said was a matter of fact. He was in the House when Walsh was expelled, and he had objected to the expulsion: he had, in fact, opposed the expulsion, and the first motion he ever made in that House was to resist it. He was left, indeed, in a minority—a small, but a most respectable minority. He thought that the House ought not to erect itself into a censor of the morals of its Members. It was not, that Mr. Walsh had not violated his trust—had not been guilty of the robbery; but, as the law then stood, he had not committed a crime. He had appropriated 28,000*l.* of Exchequer bills, intrusted to him by Sir Thomas Plomer, to his own use, which was not then a crime by the law. When the House, therefore, took it upon itself to expel him for an immoral act, he did not know where it might stop, and therefore he resisted the motion. What his hon. and learned friend had stated, therefore, was perfectly correct: and he must ask the noble Lord to explain what he meant by "indecent personalities?" Such a phrase was altogether unbecoming. Great latitude was allowed; but during these debates Gentlemen had gone much further than they were warranted.

Mr. *O'Connell* said, the noble Lord had

made a charge against him, because his recollection of a circumstance differed from that of a right hon. Gentleman. What he had stated of Lord Camelford, he had read in the newspapers, and supposed it was true. For that the noble Lord accused him of indecent personalities. He did not object to harsh language when he provoked it, and then he would be ready to make atonement; but he did not use one word which could be interpreted to have a personal meaning. He had stated what had occurred before a public tribunal, and he could show that up to this hour it was uncontradicted. He was quite certain that the noble Lord could not contradict it. That noble Lord had never heard of it before, but he could not deny it. He had arraigned the system, not the individuals; and he had shown that of it bribery, rottenness, and perjury, were consequences. He had not done that, till he heard one noble Lord utter a palinode, and another repeat it, and heard one of them censure a Law Officer of the Crown for applying strong language to that system, which they said had been the source of happiness to the country. It was not till he had heard these things that he mentioned the case of Walsh, to show, that the rotten boroughs gave something else besides security to England. If to arraign rotten boroughs were to be guilty of indecent personalities, he would say, let them be repeated.

Lord *Makon* expressed himself sorry at having used harsh language to a person in the hon. and learned Member's situation, and could assure him, that nothing personal was meant by his declaration.

Question agreed to, and Wootton Bassett was placed in the first clause.

The next question was, "that the borough of Yarmouth, in the Isle of Wight, stand part of the first clause."

Sir *Henry Willoughby* begged to call the attention of the House to the petition which had been presented from the inhabitants, which deserved ample consideration.

The borough was placed in the clause.

The next question was, that this clause, as amended, stand part of the Bill. When this was put, there were calls for the Chairman to report progress, but still louder calls to go on.

Mr. *Praed* at length obtained a hearing, and objected to their proceeding to that

question. He knew that there were two or three Gentlemen who yet wished to speak on the clause.

Lord *Althorp* thought, that the whole clause had been sufficiently discussed in going through the schedule. He hoped it would not be further discussed, but that the House would to-morrow proceed to the next clause. It had been in all its parts discussed repeatedly, both relevantly and irrelevantly.

Sir *Charles Wetherell* said, that the clause involved two or three principles which the House had not yet had time to discuss.

Mr. *Praed* did not wish, by his suggestion, to delay the Bill, but it was not possible at that time to discuss the whole clause, and he knew that there were two or three Gentlemen who were desirous of speaking on it. It might be taken the first thing to-morrow. There had not been time to discuss the clause, since several of its inconsistencies, such as that relating to Saltash, had been made known to the House.

Sir *Robert Peel* differed from his hon. and learned friend, for he thought that the clause had been discussed on his amendment to leave out the word "each." They should allow the clause to be settled, and proceed to the next stage to-morrow.

The question was put, that the clause, as amended, stand part of the Bill, which was answered by loud and numerous ayes, and carried.

The Chairman asked leave to report progress; the House resumed; the Committee to sit again the next day.

SUPPLY—CONSULS.] On the Report of the Committee of Supply being brought up, Mr. *Hume* objected to the sum of 112,195*l.* for the expense of Consuls, which he considered as enormous. He continually received representations from various quarters, complaining of the great expense and inefficiency of our consular establishments. He did not consider the information laid before the House, with regard to this vote, satisfactory. The public money appeared to be thrown away; and he must impress upon his Majesty's Ministers the necessity of thoroughly looking into this subject in all its bearings.

Mr. *Spring Rice* thought his hon. friend was renewing the discussions of the previous evening. Had he then been present, and heard the explanations given,

he would not have again complained. A proposition was under consideration, but Ministers required time to effect the proposed reforms.

Mr. *Robert Gordon* considered there had been an unnecessary expenditure in this respect, and trusted his hon. friend, the member for Middlesex, would direct his attention to the subject. Had he been present on the previous discussion, they might have been encouraged to divide the House on the vote.

An *Hon. Member* also concurred with the opinion that there had been unnecessary expense, and it was the general feeling that his Majesty's Ministers had delayed carrying their promised reductions into effect.

Lord *Althorp* repeated what had been said by his hon. friend last night. They proposed to consider the subject immediately, but his noble friend at the head of Foreign Affairs, had been so much occupied of late, that he had not been able to devote much time to the subject, which required considerable attention to adjust.

SUPPLY—NOVA SCOTIA.] Mr. *Hume* also objected to the sum of 6,625*l.* for the Civil Establishment of Nova Scotia, and considered it very hard that the people should have to pay money for such purposes. We forced money on persons who did not want it, for the sole purpose of having them under our control and authority. He could prove this statement, that the inhabitants of Nova Scotia wished to get rid of this grant.

Mr. *Spring Rice* said, the hon. Gentleman must observe the vote was decreased nearly 4,000*l.*

Mr. *Hume* also strenuously objected to 16,182*l.* being granted for the propagation of the Gospel in our Colonies. The effect of the vote was, to cause the utmost jealousy and ill-will where the money was to be distributed. In Canada it had set the whole population against the Established Church. He would not press the subject at present, but would make every exertion to oppose it in future. Every other sect paid their own clergy; but the Episcopalians, who were the minority, had this money lavished on them.

Sir *Robert Inglis* had reason to believe the members of the Church of England were more numerous in Canada than any other sect whatever. He considered it the imperative duty of a Christian Government

to carry its religion with its flag, and to encourage and protect, in all its colonies, the worship of the Established Church.

Mr. *Warburton* said, it was well known that the statement of numbers alluded to by the hon. member for Oxford, was not believed in Canada. The House of Assembly had contradicted the assertion that the members of the Anglican Church were the most numerous sect in Canada.

Mr. *Hume* wished for some further information of the manner in which the sum of 296,000*l.*, for improving the water communication, in Canada, was to be appropriated.

Mr. *Spring Rice* could give no farther information than the report of the Committee, which had recommended the sum now proposed. The statement was of considerable length, and it appeared that a balance of 143,000*l.* was still required to complete the work.

Mr. *Warburton* was afraid 500,000*l.* more would be wanted instead of 143,000*l.*

An *Hon. Member*, on the contrary, believed the expense would not exceed the amount stated. The work was a stupendous undertaking.

Mr. *Ruthven* protested against the expenditure of so much money on a country which must, one day or other, be separated from the British empire. The sooner that separation took place, the better, if it could be done amicably.

Report adopted, and Resolutions agreed to.

PUBLIC WORKS—GREAT BRITAIN.] On the motion of Lord *Althorp*, the Resolution that 1,000,000*l.* be issued to Commissioners in Exchequer Bills, for the purpose of forwarding Public Works, to be repaid within a limited time, was reported.

Mr. *Hume* said, before the present Government entered into office, he understood it was seriously intended to abolish altogether these Commissioners. The late Chancellor of the Exchequer had stated, that the necessity for all further advances had ceased. He wished, therefore, to be informed what new works were in progress, for which this grant was required. He did not think they ought to advance public money for such purposes, whilst so much floating capital was unemployed in the country.

Lord *Althorp* said, the ground on which they applied for the grant was, to

afford means of employing the people on public works during the winter. It was not a measure of finance, or to supply the want of capital. Some of the money would be lent for the purpose of private speculation, or be employed in works not likely to make adequate returns. The main object was to make advances in those districts where distress most prevailed, and there only on the best security. No loss would, therefore, accrue to the public, but the result would, he hoped, be the contrary, for, by giving employment where the distress was greatest, they might hope to avoid the disastrous consequences of last year. It had been before stated, that there was an abundance of private capital to carry on all works that were likely to make adequate returns, without parliamentary assistance; but the object of the present grant was, to diffuse a large portion of capital among the labouring community, and no harm could ensue from giving this power to Government. He repeated, the advances would be made only on good security. If no applications were made, or good security were not tendered, the matter would remain just as it was.

Colonel *Davies* understood the noble Lord had expressed alarm at the state of the country, from the want of employment to the labouring classes. He believed, and hoped, there was no occasion for such fears. There appeared ample employment, both in the manufacturing and agricultural districts, and therefore the grant was not necessary. The case was different with Ireland. The condition of that country afforded a fair occasion for such a grant, if proper security could be given.

Mr. Alderman *Venables* assured the gallant Member, that no loss had hitherto occurred in the disposal of advances of the same nature as the present, and this was to be applied in the usual way.

Lord *Althorp* begged to assure the gallant Officer, that he was under no fears for the state of the country generally, but it behoved the Government to be provident, to prevent the return of such evils as existed last year. The gallant Officer was certainly mistaken in asserting there was full employment in the agricultural districts. He had reason to fear, that there was no prospect of full employment being found during the ensuing Autumn and Winter, in those districts, and the object of Ministers, therefore, was, to give persons

an opportunity of furnishing such employment by labour on public works generally, on the chance of profiting by the outlay, they giving such security that the public could sustain no loss from the money advanced to them.

Mr. *C. W. Wynn* said, people would be more ready to engage in public works, when the money borrowed for carrying them on was to be repaid by instalments, and this he understood was to be the mode of repayment. The works to which it was proposed to apply the money, were useful, and the repayments to be made from the county rates, in a certain number of years. It was obvious this held out prospects of employment and benefit, which could not otherwise be obtained.

Mr. *Paget* thought, these were not the measures required at present. The want of employment was certainly perilous in the agricultural districts, and the distress was increasing. The present undertaking was of too large a nature, and the small agricultural villages and districts, which most required relief, were not likely to see any of the money advanced by the Exchequer. There was no general work going on in such districts, and no means of diverting money into such interstices of society. The state of the agricultural classes was fearful, and threatened general ruin. Economy was the only mode of improving their condition. The people should be relieved from direct taxes—the weight of local taxation should be lessened, and all restrictions taken off which impeded enterprise. Without the utmost economy in every branch of public expenditure, no effectual relief could be afforded, and the issue of Exchequer Bills would have no beneficial effect.

Mr. *Spring Rice* had observed, with great satisfaction, that the Gentlemen who composed the Commission, had discharged the important trust committed to them gratuitously, and with faithfulness and diligence, and the public had hitherto been put to no expenses but for stationery, stamps, &c. No loss could accrue—but probably some advantages might. As an instance, he would mention the Gloucester and Berkeley Canal, the money for which would be advanced by way of loan, and a new stimulus created to continue useful public works, which otherwise might stand still in the distressed districts.

Mr. *Robert Gordon* was much gratified to hear the Commissioners had performed

their duty gratuitously. He perceived 500,000*l.* was to be advanced for the same purpose in Ireland, and he hoped the example set by the English Commissioners would be followed by the Irish. He should probably take an opportunity of again calling the attention of the House to this subject.

Mr. *Spring Rices* said, when that opportunity arrived, he should be obliged to tell the hon. Member, that the duties of the two sets of Commissioners were not the same. In England they were merely deliberative, in Ireland they were deliberative and executive.

The Report was agreed to, and Bill ordered to be brought in, agreeable to the Resolution.

GAME BILL.] On the Motion that the Committee be deferred,

Mr. *Robert Gordon* thought the Bill was an excellent one, and could not conceive why it was delayed for the convenience of some unknown individual.

Colonel *Sibthorp* was the individual, and would sit there and watch the noble Lord and his Bill as a cat watched a mouse, and if some specific day was not appointed to discuss it, he would divide the House upon every clause.

Lord *Althorp* said, his hon. friend had received his answer, but he would further assure him, that he would use every exertion to carry the Bill through the House this Session. He thought the hon. member for Lincoln would have full opportunity for discussing it in its progress through the Committee.

An *Hon. Member* observed, that several hon. Gentlemen had objections to particular portions of the Bill, and intended to oppose it.

Committee deferred.

HOUSE OF COMMONS,

Wednesday, July 27, 1831.

MINUTES.] Petitions presented. By Sir ROBERT BATESON, from Thomas Augustus Finigan, of the Friends of the Uneducated Poor, residing at Belfast; and from the New Methodist Society, Lisburne; in favour of the Grant to the Kildare Street Society. By Mr. H. ROSS, from Growers, Merchants, and Corn Factors, Dundee, against the use of Molasses in Breweries and Distilleries. By Mr. ALEXANDER DAWSON, from Inhabitants of Carrickmacross, in favour of Reform (Ireland). By Mr. HUNT, from Inhabitants of Macclesfield, for the Repeal of the Corn Laws. By Mr. HERBERT CURTEIS, from the Inhabitants of Winchelsea, to retain Representatives:—By Sir H. ST. PAUL, from Inhabitants of Bridport, for the same purpose, in conjunction with adjoining Parishes:—By Sir JOHN WALSH, from the Corporation of Sudbury, also to retain

the same privileges. By Mr. JAMES JOHNSTON, from Scotch Distillers, against the use of Molasses in Breweries and Distilleries.

COTTON FACTORIES APPRENTICES BILL.] Mr. *H. Ross* presented a Petition from Woollen Manufacturers of Aberdeen, praying that the provisions of the Cotton Factories Apprentices Bill, regulating the hours of employment of children engaged in manufactories, should not be extended to Scotland. The petitioners represented, that the cases of England and Scotland were different. In the latter there were neither Poor-laws, nor any system of apprenticeship. He cordially supported their prayer, particularly as there had been no complaint on this subject in Scotland.

Mr. *Hobhouse* stated, that he had not yet made up his mind whether or not he should propose the extension of the Bill to that part of the empire. He was willing to admit there was some difference between the two countries, on the points noticed by the hon. Member, but the House, of course, would take these into consideration. With regard to there having been no complaints from Scotland, the hon. Gentleman must confine what he had said to the woollen manufacturers, for he had presented four petitions, and had two more yet to present, praying that Scotland might be included in the Bill. On the whole, however, he was inclined to think he should alter the measure, so as to exclude Scotland.

An *Hon. Member* said, it was a dangerous experiment to interfere between masters and their operatives. The feeling in Scotland was against the measure. The manufacturing population there, differed in their habits from the same class of people in England. The Scotch were very careful that their children should not be over-worked, and the masters paid great attention to their health and morals. A case might be made out for the introduction of such a measure as regarded England, where the influence of the Poor-laws was engrafted in all the institutions of the country. He hoped Scotland would never be cursed by such an encroachment on her system.

Mr. *Edmund Peel* said, it would be unjust to the English manufacturer, to limit his hours of working, and except the Scotch from such regulations.

An *Hon. Member* said, the House would find that manufactories in Scotland and

England, were conducted on different principles; it was not unusual in the latter country to apprentice pauper children to manufacturers; but that was never the case in the former, where the children employed were treated with the greatest attention and kindness. He appealed to every Gentleman who had visited Lanark, if such was not the case, and if the children were not educated and managed better than they could possibly be at home with their parents. The measure was not wanted, and was unpopular in Scotland, and he hoped that country would be excluded from its operations.

Mr. *Hunt* hoped the hon. member for Westminster would persevere with his Bill, and pay no attention to Gentlemen who were manufacturers themselves. He could of his own knowledge declare, that children were cruelly treated in manufactories. At from five to seven years of age, they were worked many hours, while the masters stood over them; their labour consisted in pushing a board forward with their knees, and it was incessant. Their joints soon became inflamed, and they then moved the board by an inclination of the body sideways. The consequence was, that nineteen out of twenty of these unhappy children became ultimately deformed. It was inhuman to work children as they were accustomed to do in Lancashire and Cheshire.

Mr. *H. Ross* said, the hon. member for Preston's statement, was confined to England, and would not justify the extension of the bill to Scotland, where the children were not hardly treated. At present, all the parties interested were contented, and declared there was no necessity to legislate for them. It was apprehended, that if the bill passed in its present shape, it would facilitate the introduction of Poor-laws into Scotland, which were considered a curse: on these grounds he opposed the extension of the measure. Some complaints might have been made of the cotton manufactories of Glasgow, and if so, let the remedy be confined to them, but no new regulations were required for the woollen or flax trades.

An *Hon. Member* assured the hon. member for Preston, he was not a manufacturer; he would further assure him, that the manufacturers of Scotland took as much interest in the welfare of children employed by them, as the hon. Gentleman possibly could; at the same time, though he

was not a manufacturer, he should object to the extension of this Bill to Scotland.

Mr. *Cresset Pelham* said, the children employed in manufactories ought to have proper time allowed them for air and exercise. They did not appear to have this, and he was satisfied some regulations should be enforced, to regulate their hours of employment.

Sir *James Johnstone* did not understand why the object of the Bill, which was to prevent children being over-worked in manufactories, should not be extended to Scotland. The intention of it was, to protect humane manufacturers from unfair competition with those who worked children to excess. The honest and upright manufacturers of Yorkshire required this protection, to promote the comforts of the children they employed.

Mr. *John Wood* hoped the hon. member for Westminster would persevere with his Bill, so far at least as regarded England.

Mr. *Hobhouse* had not the slightest intention of abandoning the measure as regarded England. There was much weight in the observations of the hon. member for Newcastle, that the exemption of Scotland, to which he had previously been inclined, from the representations made to him, would give an unfair preference to the manufacturers of that country.

Mr. *Hunt* could not understand why the Members connected with Scotland should oppose a bill, the object of which was to provide for the recreation of children.

Mr. *Edmund Peel* said, the Bill did not provide for the recreation of children; it merely regulated their hours of labour.

Petition to be printed.

POOR-LAWS (IRELAND).] Sir *J. Newport* presented a Petition from Waterford, in favour of Poor-laws in Ireland. He would take that opportunity of stating, that he had fully made up his mind, that a modified system of Poor-laws was absolutely necessary for Ireland. He had come reluctantly to that opinion, but, seeing that a crisis was at hand for Ireland—seeing that a large part of the revenue of the country was taken away by absentees, while the peasantry were left to starve, he had been compelled to conclude, that the time was come, when a portion of the produce of Ireland must be appropriated by the law to relieve the wants of the people. Something must be done, and speedily.

Mr. *James Grattan* concurred in the opinion expressed by his right hon. friend. Ireland was indebted to him for some of the wisest measures the Parliament had ever passed, and from him, if from anybody, it might be expected, that those regulations would emanate which were necessary to adapt the English Poor-laws to Ireland. He had long been convinced of the propriety of introducing Poor-laws into Ireland, and he gave notice, that it was his intention soon to lay on the Table of the House, a bill for that purpose. A measure of that kind would cure absenteeism, and compel gentlemen to reside on their property. The example of his right hon. friend who had so candidly expressed his opinion, would have great weight with many of those who had hitherto opposed the measure; but to shew, that it was making great way with the public, it was only necessary that he should recal to the memory of the House the number of petitions which had been lately presented on that subject.

Mr. *Staney* thought, that the subject was deserving of the most serious attention; and he trusted, that Parliament would speedily give it. At the same time he must say, that he hoped the abuses of the English Poor-laws would not be introduced into Ireland.

Sir *R. Bateson* said, that night after night the Ministers had promised to bring forward a measure for the relief of Ireland, and he thought, that it was high time for something of that sort to be done; he was, however, afraid that the English system of Poor-laws in Ireland would only produce further misery, instead of effecting any good.

Mr. *Hunt* said, that it was in vain for the hon. Baronet to appeal to his Majesty's Ministers, when there was not one in the House to hear what he said.

Mr. *Wyse* said, the proceedings of the noble Lord (the Chancellor of the Exchequer) in last night proposing a grant of money for England, was a frightful commentary on the system it was proposed to introduce into Ireland. Before they introduced Poor-laws into Ireland, it ought to be proved that they worked well in England. But here they existed—the land was overflowing with wealth, and ingenuity was in excess—skill and employment were abundant—and yet public relief was demanded for the people. Ireland was suffering under the evils of absenteeism, and though he should like to see some tax levied on them to make

them contribute to the necessities of their countrymen, yet as there were already many charities and eleemosynary institutions for the relief of the poor, it would be worth while first to consider whether those institutions could not be made more effective. Some Gentlemen might propose Poor-laws for Ireland, as a means of keeping the Irish at home, but labour was the capital of Ireland, which she had as much right to export, as England had to export her manufactures to Ireland. Something was necessary to make the indolent and the avaricious contribute to the support of the poor; and a poor-rate which could accomplish that, would be deserving of the utmost praise. If Ireland was not relieved by good legal institutions, she would require a local Legislature. It was impossible, unless good institutions were given, to look forward in Ireland with any hope but that the same cycle of distress, famine, and disturbance, would continually recur. He strongly recommended attention to the state of that country, if England meant to preserve it in peace.

Mr. *Ruthven* was glad to hear, that the member for Wexford had taken the matter up; for it was clear that the Government, which was so much occupied with other things, could not attend to the wants of Ireland; and the Irish Gentlemen themselves must take that country under their care. He was satisfied that the introduction of Poor-laws into Ireland was now necessary.

Mr. *Callaghan* had long been of opinion, that nothing could be more productive of benefit and tranquillity to Ireland than the introduction of Poor-laws into that country. He should not deal fairly with the House, however, if he did not state, that this opinion was not shared by the landlords of Ireland, who dreaded being made by the Poor-laws, paupers on their own estates.

Mr. *G. Dawson* thought, that the time was now come, when a modified system of Poor-laws must be introduced into Ireland. He saw no other measure which was likely to give tranquillity to that country. The rich ought to make sacrifices, if they wished the country to remain at peace. He denied, that the measures proposed by the Government, such as the issue of 500,000*l.* in Exchequer Bills, would give any relief to Ireland, and he looked on those measures as likely to create delusion. The only means to re-

lieve the people of that country was, to give them employment, and that could not be done but by making it the interest of the landed gentlemen to provide for them. He had become, unwillingly, a convert to the opinion, that it was necessary to give Poor-laws to Ireland. He wished, however, that the subject were taken up by the Government, and not left to be brought under discussion at the discretion of individuals.

Mr. *Leader* stated, that the condition of Ireland was now become a vital English question. Those who had brought the country to pauperism by their free trade principles ought now to bring all their intellect, if they had any, to raise the country out of the condition into which their principles had plunged it. Ireland could not go on as it was at present. The claims on the land were such, and the extortions so many, that it was not possible for the people to live. The demands of Landlords, Grand Juries, Tithe-proctors, and Tax-Gatherers amounted to 25,000,000*l.* per annum; one of these stood on one side of the hedge, and the other on the other, looking after the growing crop, eager to take it whenever it was ready to be reaped. The country was in the last stage of destitution; the population were behind the level of humanity; and in Ireland there was no security for life or property.

Mr. *Spring Rice* deprecated the discussion of this important question, except on some notice being given, particularly as there were already two notices on the book to bring the subject before the House. They were all agreed, that if the introduction of Poor-laws would relieve the poor of Ireland, they ought to be introduced. This, however, was yet a matter of doubt; and he wished Gentlemen would take the principle of the question into consideration. In particular, he wished Gentlemen would take into their consideration the effects of introducing Poor-laws into Ireland on the state of the poor of England. He conjured the House to weigh the subject maturely, and consider well the means by which that relief could be given which they all desired to give.

Mr. *Hume* said, it was evident, from the returns on the Table of the House, that since the restrictions on trade had been removed, the business of Ireland had increased. He regretted, therefore, that such a cause should have been assigned for the distress of Ireland as the removal of those restrictions. He only rose, how-

ever, to say, that this subject ought to be taken up by the Government, if it was only to allay the agitation which now existed. He thought, that the Poor-laws in England had not been of advantage to this country; and he therefore, though he wished to give relief to Ireland, could not consent to introduce Poor-laws into that country. It was, however, the business of the Government to bring the question, which was of primary importance, under the discussion of the House.

Mr. *Sheil* said, the hon. member for Middlesex had given an opinion against the introduction of Poor-laws into Ireland, without assigning his reasons. The right hon. Secretary of the Treasury was also of the same opinion. He had been Chairman of that Committee which had been appointed to inquire into the subject of Poor-laws in Ireland, and had given an opinion on every other subject but that they were appointed to inquire into. He advocated the propriety of the Government taking up the question, and not leaving it to the interlocutory explanations of Members across the Table.

Mr. *Spring Rice* said, the reason for the Committee not giving an opinion was, it had sat for a considerable time, and the dissolution being at hand, it had no opportunity of entering into a question of such importance in the absence of many Members.

Sir *J. Newport* said, that he had expressed his opinion, for which, perhaps, he owed an apology to the House, because at his time of life he might not otherwise have an opportunity of stating the change which had taken place in his views on this subject. He was now convinced, that without some provision for the poor of Ireland, the tranquillity of that country could not be preserved.

Mr. *Grattan* said, the hon. member for Middlesex had expressed himself against the Poor-laws of England; he wished, therefore, to know if the hon. Member proposed to alter or amend them; if the hon. Member did, he should oppose him.

Mr. *Hume* had not objected to the principle of the Poor-laws, but only to the abuses of the system.

Mr. *Sadler* wished to know, if the noble Lord would allow any day to be set apart for the discussion of this important question? The day appointed was the 2nd of August.

Lord *Althorp* was well aware of the

great attention which the hon. Member had paid to the subject, and knew how desirous he was of bringing it forward. He could not, however, pledge himself to set apart any day for the purpose. He could not tell what might occur in the progress of the business then before the House, but he thought there might be an opportunity of discussing the question after that was disposed of. Not perceiving, however, what was likely to be the state of things before the House, he could not promise that any particular day should be devoted to the discussion.

Mr. *Sadler* wished merely to take the opinion of the House on the propriety of adopting measures for the relief of the poor in Ireland. The subject, as he should bring it forward, would be divested of details.

Petition to be printed.

HOLLAND AND BELGIUM.] Viscount *Palmerston* laid on the Table a Protocol of a Conference held at the Foreign Office, on April 17th, 1831, between the Plenipotentiaries of Austria, Great Britain, Russia and Prussia, and also a note addressed to these Plenipotentiaries, by the Plenipotentiary of France, on July 14th, 1831.

Mr. *Hume* wished to ask the noble Lord, if there would be any objection to lay on the Table of the House the whole of the Protocols relative to Belgium?

Viscount *Palmerston* replied, that the state of the question was not yet so far advanced towards a conclusion as to allow him to comply with the hon. Member's request. It was not yet finally settled that war would not take place between Holland and Belgium; and it would be premature to produce the papers in question.

RUSSIA-DUTCH LOAN.] Mr. *Baring* wished also to ask the noble Lord a question. The noble Lord was aware that half the Loan Russia had negotiated in Holland, had been taken conjointly by England and Holland, on condition that Belgium should be united to Holland, and they were to continue to pay the interest of that Loan, as long as the union of the two countries continued. England had already paid a large sum on account of this Loan. Now, as the condition on which she took the Loan was, that Belgium should be united to Holland—and as those two countries were now *de facto* separated, he wished to

know whether England considered herself bound to continue the payments on account of that Loan? He wished to ask, too, if the noble Lord was aware that the King of Holland had refused to make the last payment on account of this Loan, because the condition on which he made himself responsible for it no longer existed?

Viscount *Palmerston* said, the subject to which the hon. Gentleman alluded, was not quite so simple as it appeared. The question was, whether the liabilities of England still continued, according to the fair interpretation of treaties, or was put an end to by the separation of the two countries? The question was at that moment under the consideration of Government, and as soon as the Government had satisfied itself as to what was fair and just, he should be ready to communicate its determination to the House. At that moment he was not able to communicate to the House what the liability of the Government was, under the present circumstances.

Mr. *Baring* again asked the noble Lord, if he was aware that the Government of Holland had refused to pay, and if there was any difference between the liabilities of England and Holland?

Viscount *Palmerston* was not aware of the fact till the hon. Member stated it. As to the latter part of the question, there was a difference between the two cases, inasmuch as the power of Holland to make payments was diminished by a loss of her resources.

Colonel *Davies* hoped, until the case was decided, no further payments would be made. He looked upon the whole arrangement as one of doubtful propriety, and though he by no means wished to urge on the Government any breach of faith, he must conjure it, under present circumstances, to take every fair and proper opportunity to diminish the expenditure of the country.

Lord *Althorp* said, that no payments would be made until Government should have decided upon the future course.

FRENCH KING'S SPEECH.—RAZING FORTRESSES.] Sir *Robert Peel* had wished to take that opportunity to put a question to his noble friend, relative to the Convention to raze and demolish certain of the fortresses which had been established for the protection of the Netherlands since

1814, but that was now unnecessary, his noble friend having thought proper to communicate the Protocol to the House. Another question, however, that he wished to ask, was this: The Convention which determined, that certain fortresses should be razed had been settled by the four Powers, England, Russia, Austria, and Prussia; and to this Convention for razing the fortresses France was not a party. If he understood the matter correctly, however, the whole of the fortresses were not to be demolished, and it was not yet determined which of them should be, that being left to a future decision. The question, then, he wished to ask was, by whom was it to be decided which of these fortresses should be demolished? Was it to be decided by the same parties who had signed the Convention? and as France had not been a party to that Convention, was she to have no concern in deciding which of the fortresses should be demolished? He did not wish to provoke a premature discussion on this important subject. Of late, indeed, foreign politics had not occupied much of the attention of the House—not that he was contented, not that he did not foresee much cause for future apprehension in the present state of foreign affairs, but the attention of the House had been absorbed by other things, and he had been extremely unwilling, seeing the situation of his noble friend, to call for any explanation, or provoke a premature discussion that might diminish the chances of maintaining peace. He should still have preserved silence, had it not been for the Speech from the Throne lately made in another country. That Speech referred to two countries with which the interest and prosperity of this kingdom were closely connected—Portugal and Holland—which made it necessary to ask for some explanations. He said, he did not wish to provoke premature discussion, but only to obtain such explanations as would enable the House of Commons to understand in what manner the interest of England might be affected by these events. The part of the French King's Speech which referred to one of these subjects, was this—"The fortresses erected to threaten France, and not to protect Belgium, will be demolished." It was said there, that these fortresses were erected to facilitate aggression on France. The Speech supposed what he was bound to say was not correct. Those fortresses

were not raised to threaten France; they were raised to defend Belgium, and the neighbouring countries against France. He must object, therefore, to the language which had been used, and must, at the same time, remark, that the manner in which the destruction of these fortresses had been announced by France, was a departure from the ordinary courtesies in practice among nations; and the more so, as it appeared they were not to be dismantled immediately, but were, on the contrary, to be made the subject of ulterior negotiations, (to which it would appear, that France was not to be a party. He would not, however, enlarge on this point, because he was anxious to avoid provoking discussions which might prove inconvenient to the Government; and he would, therefore, at once pass to that other portion of the French King's Speech on which he begged to put a question to the noble Secretary for Foreign Affairs. In that Speech he found the following words:—"To obtain reparation, demanded in vain, our ships of war have appeared before the Tagus. I have just received the news that they have forced the entrance. The satisfaction, hitherto refused, has been offered to us. The Portuguese men-of-war are in our power, and the tri-coloured flag flies under the walls of Lisbon." By that passage, the French King announced to his subjects, that the fleet of Portugal, the most ancient and the most faithful of the allies of England, had fallen into the power of its enemies, and that the tri-coloured flag floated victorious in her capital. That passage announced that there was war between France and Portugal. It announced that the victorious fleet of France had forced the defences of the Tagus, and that the capital of Portugal was at the mercy of the conqueror. Under any other circumstances, it might not, perhaps, be necessary to require any explanation of the events which preceded this state of affairs in Portugal; but it was impossible to put altogether out of sight those treaties which bound this country to the defence and protection of her most ancient ally, and the peculiar nature of the obligations which those treaties imposed on this country, to defend Portugal against all unjust attacks. He did not mean to go the absurd length of contending that England was bound by those treaties to defend Portugal, either by the employment of a

military force, or even by remonstrances, when she decidedly persisted in wrong doing; but he thought it must be admitted by all who had read the treaties, that they were bound to assist Portugal in repelling unjust aggression. It was, therefore, very material to that House, to know what were the real facts of the case. The question, therefore, which he wished to put to his noble friend was, whether there existed, on the part of France, such just and urgent ground of offence as had entitled her to force the passage of the Tagus, or whether the *casus fœderis* had arrived, whether the cause of complaint, was such that the aggression of France could not be avoided, and that had or had not arisen—which imposed upon us the obligation of succouring our ally?—He hoped he had said nothing which could promote premature discussion; it had been his anxious wish to avoid it. He should, therefore, confine himself to the two questions—which to avoid misapprehension, he would now repeat. The first was, whether, in the negotiations which were, as it was now understood, to precede the demolition of a portion of the fortresses, France was to be called in by the four great Powers as a party to such negotiations? The next was, whether the noble Lord was disposed to make the House acquainted, through the means of any documents or correspondence which had passed on the subject, with the peculiar state of circumstances which had led to the attack of the French on Portugal, and brought about the events which enabled the French King to announce, that the tri-coloured flag floated in the Tagus?

Viscount *Palmerston* admitted, that nothing could be more cautiously worded, or better fitted to guard against any premature discussion, than the speech of his right hon. friend, and he hoped, from the disposition which had been displayed, that his right hon. friend would think it sufficient if he gave plain and distinct answers to the questions which had been put to him, without entering into any detailed explanations. He had laid on the Table of the House the Protocol by which it was agreed by the four Powers of Austria, England, Russia, and Prussia, that as soon as the king of Belgium should be recognised by all the Powers who are parties to the conference of London, they would open negotiations with the king of Belgium, for the purpose of considering what

part of the frontier fortresses could be demolished, as it was plain that, from the altered state of circumstances, these fortresses could not be kept up for those purposes which were originally proposed by the Treaty of 1814. His right hon. friend wished to know whether France was to be a party to these negotiations when it became necessary that they should take place. His answer to this was, that those negotiations were to be carried on between the four Powers of Austria, England, Prussia, and Russia; and it was obvious, from the very nature of things, that France could not be called on to be a party to those arrangements. His right hon. friend had stated truly, that the House of Commons had shown great forbearance, and a marked confidence in the Government, in abstaining from exciting any premature discussions in the course of the pending negotiations; and he could assure his right hon. friend, that the course thus adopted by that House had contributed most essentially to the accomplishment of the objects they all had in view—namely, the preservation of the peace of Europe, and the settlement of the affairs of the kingdom of Belgium in such a manner as was consistent with the interests of our Allies, and the honour and security of England. He was not aware that he could say much more in answer to his right hon. friend's questions with respect to Belgium. It was obvious that the diminished resources of that country, both military and pecuniary, rendered it impossible that its government could continue to support a line of fortresses to the same extent as when it was united to the kingdom of Holland. His right hon. friend's next question applied to the capture of the Portuguese fleet in the Tagus, and to the floating of the tri-coloured flags under the walls of Lisbon. His right hon. friend had taken occasion to utter his regret that the government of France had made use of such expressions in the Speech delivered by the king; but it surely could not be expected, that he should now pronounce any opinions with respect to a Speech for which the Government of this country was in no way responsible. This much he would say, that his Majesty's Government was fully aware of the necessity imposed on it, of affording its powerful and efficient aid to Portugal, on all occasions such as his right hon. friend had described; and he

could assure him, that if the Ministers had been of opinion, or brought to believe, that Portugal had, according to the true spirit and meaning of the two countries, a right to have demanded on this occasion the assistance of this country, that assistance would not have been withheld from her because the present Government of Portugal had not yet been recognized by this country. They had felt, indeed, from the first, that the fact of the Government not being recognized did not diminish in the least the obligations imposed by the treaties: and it was in full consideration of the validity of that obligation that the Government had, but a short time since, applied for and enforced that satisfaction which they thought to be justly due to reiterated and well-founded complaints. His right hon. friend had asked for the production of the correspondence which had taken place on the subject of the late events, and for the documents which would explain the full extent of the grievances which had led to the capture of the Portuguese vessels, and the entrance of the French into the Tagus, as announced in the Speech of the King of the French. He felt, that he could not, in compliance with his duty, then consent to give the information required; but whenever the time came for its production, he hoped to be able to defend the course adopted by the Government, and to explain it to the full satisfaction of his right hon. friend and the House. At the present moment, he did not think it would be expedient to produce the information which his right hon. friend asked for, not so much with reference to the interests of this country, as to transactions at present depending between others, and negotiations which might be prejudiced by premature disclosures or discussions.

Sir *R. Peel* was glad to hear what his noble friend had stated with regard to those barriers, which had been most erroneously called fortresses intended to menace France, and not to protect Belgium. He again declared, that he was anxious not to excite any unnecessary discussion; but as that might be the last time any such opportunity would be afforded him, he could not allow it to pass without expressing a hope that the king of Holland would not be excluded from those future negotiations to which the noble Lord had referred. It should not be forgotten, that although the fortresses were

supported for the defence and protection of Belgium, they were intended still more for the defence and protection of Holland—a country in the safety and independence of which England had the deepest interest, the integrity of which country must be always, with England, an object of the most anxious solicitude. He begged, indeed, to call the attention of the noble Lord to the peculiar claim which Holland possessed to be consulted with respect to the disposal of the fortresses. The noble Lord must recollect the Convention between this country and the prince sovereign of the Netherlands, signed in August 1814, by which it was agreed, that two millions of money, received as indemnity for claims on France, should be applied to the repair of these fortresses, for the defence of Holland, and for the exclusive support of British interests. The noble Lord must recollect, too, the terms on which this large sum was thus disposed of. He must remember, that in consideration of the sum applied to the erection of the fortresses, Holland consented to cede to England, in perpetuity, the colonies of the Cape of Good Hope, Demerara, Berbice, and Essequibo. Now if Holland, in the course of the negotiations, was to be held as in no way interested in the fate of these fortresses, he would beg to ask, what recompense had she received for surrendering these colonies, which England held as a consideration and a satisfaction for the money she consented to advance, in order that these fortresses might be placed in a proper state of defence.

Viscount *Palmerston* admitted the statements of the right hon. Baronet, and assured him, that the Government had not been forgetful of what was due to the claims of the king of Holland, nor unmindful of the value of the independence of Holland with relation to the interests of England, and of the necessity of continuing to cultivate and maintain those relations of amity and mutual good-will which had so long prevailed between them, to their mutual honour and advantage. He admitted, that the right hon. Baronet had correctly stated the nature of the Convention, but he had forgotten one important part of it; namely, that this country, in return for the cession of the colonies, paid a million of money on account of the surrender of Guadeloupe, and that England charged itself with the payment of a part of that Dutch and Russian Loan which had been

already adverted to by the hon. member for Thetford (Mr. Baring). It would appear, therefore, that Holland had already received an equivalent.

Lord *Eliot* reminded the noble Lord, that the expense of the peace establishment of the fortresses was very small, and that it could not be said Belgium would be called on to support all, for many of them were within the Dutch frontier. The reason given, therefore, for the demolition of the fortresses was not altogether sufficient; and he hoped, before any negotiations were opened on the subject, or guarantee exacted for the securing of the integrity of Belgium, that the questions respecting her debt would be finally disposed of. He begged to ask the noble Lord, whether it was in consequence of any representations on the part of the Belgians, with respect to the expense of supporting the fortresses, that the Conference had been held at which it was resolved to dismantle them.

Viscount *Palmerston* said, it occurred at a very early period, indeed shortly after he came into office, to the Plenipotentiaries of the Powers assembled to consider the state of affairs in Belgium, that it would be necessary to have recourse to some new measures with respect to these frontier fortresses, which had been erected to protect the kingdom of the Netherlands. It was unnecessary for him to say, that in the arrangements then proposed, these Powers had no other object than to take care, if possible, that fortresses erected for one purpose should not be applied to one directly contrary, and that the barriers raised for the protection of Belgium should not only become useless, but, from the operation of circumstances, be perhaps made to promote objects totally different from those intended by the Powers which constructed them. This was the view taken of the subject by the Allied Powers, parties to the Conference; and he had only to add, that, as far as he knew anything of the arrangements connected with the original construction of these fortresses, they were not intended to menace France, but were raised altogether with the view of defending the Netherlands.

Sir *John Doyle* condemned the course which the Government had pursued towards Portugal, and observed, that although he had been a supporter of Ministers, he considered their conduct to have been very apathetic in reference to the late events, and that he must, al-

though in opposition to their wishes, persist in demanding some early information on the subject of our relations with the government of Lisbon.

Colonel *Evans* had seen the fortresses, and could declare, that it would require 40,000 men to garrison them, and a still larger army to defend them. The resources of Belgium were not equal to defend these places against a powerful enemy. The French had passed these fortresses, in 1815, without being arrested by them a single hour.

Mr. *Baring* said, that the loan to which he referred, had, he believed, nothing to do with the cession of the Colonies; and as the circumstances under which England promised to take on itself a part of the payment were at an end by the dissolution of the connection between Holland and Belgium, he thought the obligation to discharge any portion of the payments was also at an end.

Viscount *Palmerston* said, the object of the Government at that moment was, not to discover how they might form new obligations, but rather how they were to fulfil the obligations of treaties and debts already contracted.

The Papers to be printed.

REFORM PETITIONS.] Sir *George Warrender* begged leave to present a Petition from the parish of Chelsea, praying, that if the House determined to give the right of Representation to districts in the vicinity of the metropolis, the claims of that parish might not be passed over. He was not one of those who had yet been able to comprehend the principle on which the Ministers proceeded, with respect to the Reform Bill, and he confessed the events of the last few days had tended much to lessen the little he thought he knew before. If, however, their principle was population, the petitioners said, that the parish contained 32,000 inhabitants. If their principle on the other hand, was the number of 10*l*. householders, then the petitioners declared, that their parish had upwards of 5,000 of that description; and, if, still further, their principle was the payment of Assessed-taxes, then the petitioners begged the House to consider that 26,000*l*. were collected every year in their parish. He was not one of those who approved of the plan of giving Members to districts of the metropolis, and he had said so to those

who asked him to present the petition; but he must contend; that those who gave Members to Finsbury and the Tower Hamlets, were bound to listen to the claims of the parish of Chelsea.

Petition referred to the Committee on the Reform Bill.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—TENTH DAY.] Lord John Russell moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Hunt*, before the Speaker left the Chair, begged to ask a question of the First Lord of the Admiralty. He understood, that the four Post-office packets between Calais and Dover, had always five Captains. One of the five, he was told, had just died, and he wished to know if the Government intended to perform its promise of retrenchment, by saving this 400*l.* a year of salary to the public, by abstaining from making a new appointment?

Sir *James Graham* regretted that the hon. Member had not given him some notice of his intention to ask the question, as he might have been prepared, through the means of a communication with the noble Duke at the head of the Post-office, to have given some answer. At present he could only promise to make inquiries on the subject. He might say, at the same time, that no one connected with the Government was more anxious to fulfil the promises of retrenchment than the noble person alluded to, and he was confident that if a saving could be effected, the noble Duke would avail himself of the opportunity, and be happy to receive all the information which the hon. Member might be able to afford.

The House went into Committee, Mr. Bernal in the Chair.

The subject for discussion was the second Clause of the Bill, which was read as follows:—"And be it enacted, that the boroughs enumerated in Schedule B, to this Act annexed, shall, after the end of this present Parliament, return one Member, and no more, to serve in Parliament for each of the said boroughs."

On the question being put,

Sir *Robert Peel* rose, and spoke to the following effect:—"Before we proceed

to the consideration of the cases of individual boroughs included in schedule B, I intend to discuss a preliminary question of very high importance, and one that concerns the interests of the whole class of boroughs. The decision upon the general question thus raised, will be a conclusive one, and, once taken, will determine the point for each particular case, and render detailed discussion upon that point unnecessary. I propose, that each of the forty boroughs included in schedule B, instead of returning only one Member, as contemplated by the Bill, shall retain its present privilege of returning two; and I shall move as an Amendment on the Motion of the noble Lord, that the word "two" be substituted for "one." If, therefore, the House affirm my proposition, each of the boroughs will return two Members, and will thus escape partial disfranchisement; and if, on the contrary, the Committee shall decide that the word "one" stand part of the clause, I shall abstain from raising the question in the case of each individual borough in schedule B. I think that the course that I now propose will save the time of the House; and I entreat the most serious and impartial attention of all parties, while I state the important considerations that induce me to propose the adoption of the course that I now recommend. I am not about to recommend a discussion of the general principle of the Bill, but I shall confine myself to a statement of facts, which are as well deserving the attention of those who are friendly to the Bill, as of those who take the same view of it that I do. I would appeal to his Majesty's Government themselves, entertaining a confident hope, that if I shall be able to adduce valid reasons for continuing to the boroughs enumerated in schedule B, the right of returning two Members, my reasons will be permitted to prevail, and will induce the Ministers again to pursue the honourable course which they took last night in the case of the borough of Saltash, and revoke a decision which subsequent consideration proved to be erroneous. In the first place, I contend, that the adoption of my proposal is not inconsistent with the principles of the Reform Bill. There is not a word in the preamble of the Bill which points to the disfranchisement of the boroughs enumerated in schedule B. The preamble recites that—"It is expedient to take effectual measures for

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correcting divers abuses that have long prevailed in the choice of Members to serve in the Commons House of Parliament; to deprive many inconsiderable places of the right of returning Members; to grant such privilege to large, populous, and wealthy towns; to increase the number of knights of the shire; to extend the elective franchise to many of his Majesty's subjects who have not heretofore enjoyed the same, and to diminish the expense of elections." Now, I cannot deny, that this recital, if admitted to be correct, applies to schedule A, and binds us to the complete disfranchisement of those boroughs, but it has no reference to the partial disfranchisement of the boroughs in schedule B. The preamble of the Bill, therefore, leaves those who entirely assent to it at liberty to vote with me. The most determined enemy to nomination boroughs may also vote with me. There may be boroughs of that description in schedule B, if reference be had to their present constituency, but other provisions of the Bill will destroy that constituency, and will substitute for it a new and more extended one. I have a perfect right to assume, that after this Bill shall have passed, nomination will be effectually excluded in the case of every borough named in schedule B. If it will not, why does the Government reserve for these boroughs, or any of them, even the half of their existing privilege? The question is one, not of degree, but principle. The Bill assumes nomination to be vicious and unconstitutional; but if it be so, it is so in the case where one Member is to be returned, as well as in the case where there are two. If you suspect the existence of nomination in schedule B, your remedy clearly is, not partial disfranchisement, but complete extinction of the privilege through which it is to be effected. I repeat, therefore, that the most decided enemy to nomination is at liberty to vote with me. Having removed out of my way these preliminary difficulties, and shewn this to be a question fairly open to the consideration of all parties, whether friends or enemies to the Bill, I will now consider the intrinsic merit of the proposal. First, I contend, that it is recommended by long prescription and almost uniform usage, so far as England is concerned—and let it be remembered that we are now discussing the English Representative system, and no other—that the usages of England in respect to Representation are, therefore,

mainly to be relied upon. Now, in every instance in England, in which the elective franchise is exercised, with few exceptions only, in which there is a single Member, two Members are returned. There are also the cases of the city of London and of the county of York, wherein there are severally, four. 489 Members sit for England, and five only, out of the whole number, sit for boroughs having a single return. A different practice prevails, it is true, in Wales, in Scotland, and in certain cases in Ireland. In the two latter cases, it was adopted at the respective periods of their union with England; but we are to consult, for present purposes, English precedent and English usage, and not to look at the necessities which might be imposed by events so peculiar as the unions of different parts of the empire. If usage and prescription are to decide the question, the decision must be in favour of my proposal, and I contend, that the appeal to reason and good sense is equally decisive in its favour; and that, apart from all considerations of usage, that plan of Representation which gives two Members to certain places, in preference to one, ought to be adopted. If we were merely arguing *à priori*—if we were devising, for the first time, an electoral system for a new country—and if we should assume 500 as the proper limit to the number of Representatives, it would be easy, in my opinion, to prove, that it would be better to give the right of sending two Members to 250 towns or districts, rather than a single Member to each of 500. By doing so, you would ensure a more perfect Representation of the feelings and sentiments of the whole people; you would diminish the chances of the undue preponderance of one class of interests or opinions; and you would be more likely to effect that object which ought never to be overlooked, namely, the insuring at all times to the minority, its fair share of weight and influence in the public councils. But I would rather confine myself to the circumstances of England, and to the state of society as it exists in this country. I appeal to those who have practical experience on this subject, and who are conversant with the feelings and habits connected with elections in England. Surely they must know, that there is an immense advantage, when contending parties are nearly balanced, in having the means of effecting an amicable compromise, and of warding off the neces-

sity of absolute triumph and unqualified defeat. What is it that gives keenness to election contests? Not merely general politics, but local and hereditary attachments, the preference of this family to that, the influence of property newly acquired contending against that of ancient family and long-established connexion. Beware how you relinquish the only means of amicably adjusting the balance between such rival pretensions. Think of the animosity which you will engender, the more bitter as the circle is narrow within which it is confined, if there be no alternative but complete, unmitigated victory on one side or the other. How certain will be the provocation to contest on every returning vacancy, and how lasting the mortification which will follow defeat. I argue from what I know, and from circumstances of which I have had experience. I represent a borough—no nomination borough—but a borough containing near 4,000 inhabitants, in which every inhabitant householder, not in the poor-rate, has a vote, and is proud of his franchise. It returns two Members, one friendly to the Bill, the other hostile to it—one supporting the Government, the other opposing it—one returned through the influence of an ancient name, and of all the associations which are connected with old connexions and hereditary attachments; the other through the influence of neighbourhood residence, property, and friendly and constant intercourse. How many instances there must be where similar divisions of opinion and interests prevail; many, perhaps, in which they are very nearly balanced; and could it, in such cases, be for the public advantage, or could it promote local peace, to leave no alternative, at all times and under all circumstances, but the complete exclusion of one party and complete triumph of the other? Even on this single ground, I must contend, that my Amendment would be entitled to support. But this is a narrow ground, indeed, compared with that on which I am now about to urge its adoption. I am now to consider in what manner public interests, and those of the highest concern, will be affected by its rejection. By the vote of last night, which inflicted total disfranchisement on all the boroughs in schedule A, we have made an enormous change in the Representative system—a much greater change than was expected by any reformer, not a member of the King's Go-

vernment. By that vote, fifty-six boroughs, entitled for centuries to the elective franchise, have been destroyed, and 111 Members, being far more than one-fifth of the whole English Representation, will shortly cease to exist. I cannot believe, that the sober judgment of the House will affirm the decisions of the Committee—that no appeal will be permitted in such cases as those of Appleby, of Downton, and Plympton; but if that shall be the case—if our proceedings are irrevocable—let us, while we have yet time to repair, at least in some degree, the evil of these proceedings, maturely consider the effect of them, and their bearing, not upon this borough or that, but upon those vast interests of society which are affected by them. In this country there are two great interests, the agricultural on the one hand, and the commercial and manufacturing on the other, having the closest ultimate connexion between their mutual prosperity, but occasionally taking very different views of the best mode of promoting their individual, and ultimately their common, welfare. Let us consider how these interests are likely to be affected by those enactments of this Bill which are already decided on, by those we are at present considering, and by those we shall have hereafter to consider. I hold in my hand a map of England, which has been prepared (I know not whether by a friend or an enemy of the Reform Bill), with the view of presenting, at one view, those places that are to be totally, and those which are to be partially disfranchised; and those also which are to acquire the right of hereafter returning Members to Parliament. Now, I propose to divide England into two great divisions, and to draw the line of demarcation in that manner, which will most fairly and effectually separate the purely agricultural counties of England from those which are either chiefly manufacturing, or partly manufacturing and partly agricultural. The line must be, in some degree, arbitrarily drawn, and, on each side of it, there must be partial exceptions; as in the case of counties which do not fall exactly within the description which I wish to assign to them; but I know no line which will better effect the object I have in view, than the one which I propose to draw. It extends across England from that indenture in the coast which is made by the mouth of the Severn, to that indenture in the opposite coast

which is made by the inlet of the sea called the Wash. In short, the line may be considered to be drawn from Gloucester, in the west, to Boston, on the east coast of England. To the north of this line the great coal field of England is situate, and the manufactures depending upon coal are chiefly carried on. The division to the south of the line includes those counties of England which are almost entirely agricultural, and in which, speaking comparatively, there is little scope for manufacturing industry. There are, I believe, eighteen counties to the north of the line, and twenty-three counties to the south of it. The northern counties are the following:—Northumberland, Cumberland, Durham, Westmoreland, Lancashire, Yorkshire, Cheshire, Derbyshire, Lincolnshire, Nottinghamshire, Staffordshire, Shropshire, Monmouthshire, Herefordshire, Worcestershire, Warwickshire, Leicestershire, Rutlandshire. The southern counties are;—Hertfordshire, Essex, Suffolk, Cambridge, Bedford, Huntingdon, Northampton, Norfolk, Kent, Surrey, Sussex, Hampshire, Wiltshire, Dorset, Devonshire, Cornwall, Somersetshire, Gloucestershire, Berkshire, Buckinghamshire, Oxfordshire, and Middlesex. Now let us examine, how the schedules and enactments of this Bill affect these two divisions of England, and the interests which are connected with them. Fifty-six boroughs, returning 111 Members, included in schedule A, have been already doomed to destruction; five only of these boroughs are to the north of the line, fifty-one are to the south. The counties north of the line lose only ten Members, while the counties south of the line lose 101. So much for schedule A. I will proceed to schedule B. By schedule B, forty one boroughs are to lose each one Member. At the commencement of these proceedings, the number was forty, but the transfer of Saltash from schedule A made the number forty-one. Of these forty-one boroughs, only eight are to the north, while thirty-three are to the south of the line. Thus, the northern division will lose sixteen Members, while the southern will lose sixty-six. From this it will appear, that the combined operations of schedules A and B is, that the manufacturing counties will lose eighteen Members, while the agricultural counties will lose 134 Members. I should be quite aware, even if the noble Lord opposite were not taking notes of what I have said, that

the boroughs in schedule A, being nomination boroughs, and in a great measure aiding the commercial and colonial interests, their loss cannot be fairly said to be entirely an injury to the agricultural interests. I do not deny, that there is considerable force in this argument. But the argument has no reference to the forty boroughs in schedule B, which are avowedly not nomination boroughs. It cannot be denied, that the forty Members to be returned under schedule B will be indebted for their election to local considerations, and will be bound to consult the especial interests of their constituents. I, and others, may think it unwise to make local interests exclusively predominate; but they will predominate; and forty new Members, given to the boroughs in schedule B, to be returned hereafter, not by nomination, not by corporations, not by absent freemen, will be purely local Representatives, and, in this sense, will be a clear gain to the districts from which they are sent. I say, then, here is an excellent opportunity to redress, in some degree, the wrong inflicted by schedule A, by enabling each borough in schedule B to return two Members instead of one. I should rather say, by permitting them to retain their ancient right and privilege. So much for the destructive part of the Bill; I will now proceed to the constructive portion of it, and I will inquire, whether it tends to restore the equipoise between the manufacturing and the agricultural interests, which the other part of the Bill so seriously disturbed? Quite the reverse. So far from offering any compensation to the agricultural division of the country for the losses sustained from schedule A and schedule B, it makes matters infinitely worse: so far from offering any thing like an equivalent, the preponderance of the northern counties is increased greatly by this part of the measure. I again refer to facts. Schedule C creates twelve new boroughs, which are to return two Members each. Every one of these boroughs, with the exception of the metropolitan district boroughs, and two others, is to the north of the line. Now, with respect to the metropolitan district boroughs, although it is certain that they are to the south of the line, yet it is as certain that their creation, so far from being advantageous to the agricultural interests, is calculated to operate in an exactly opposite direction; because, if even the interests of manufacturing

towns shall conflict with the interests of the agricultural districts, the metropolitan Members will unite with the former, rather than with the latter. Putting aside, therefore, the metropolitan districts, Finsbury square, the Tower Hamlets, and so forth, with which agriculture has no sort of concern, the only two towns on the south of the line gaining two Members by schedule C, are Frome and Devonport. Thus, out of the twenty-four Members to be returned for these boroughs, no fewer than twenty are to be returned, either from boroughs northward of the line, or from the metropolitan district boroughs. Now for schedule D. By schedule D twenty-six boroughs are to be created, each to return one Member. Twenty-four of these twenty-six are absolutely on the north of the line. Only two are to the south of the line. What are the two? What are these two strong holds of the agricultural interest which are allotted to us out of the twenty-four? Why they are worse than nothing; two overgrown watering-places, Cheltenham and Brighton. What, then, will be the aggregate effect of this Bill? What is the balance of loss and gain? The total loss of the division south of the line is 134, the loss of the division north of the line, eighteen. And when we proceed to look further into the constructive clauses, to see what new Members are given, we find that the gain of the division south of the line is, excluding the metropolis, and throwing in Cheltenham and Brighton, six Members: that of the division north of the line, thirty-three. Now these being the facts of the case, this being the balance of loss and gain, I ask whether my proposal is an unreasonable one,—that each of the boroughs in schedule B, forty in number, thirty-three of which are to the south of the line, should retain its existing right, and continue to send two Members to Parliament?—I do not call upon you to restore schedule A; I assume that you will adhere to it; that you will disfranchise every one of the fifty-six boroughs which it includes, but I intreat you to pause before you proceed further; to consider the extent of the change you have already made, and the hazard of unsettling and deranging a balance which time, rather than reason, has adjusted, but which may not on that account be the less conformable to justice. Has there been, hitherto, any undue and unjust protection to agriculture? Have manufactures lan-

guished for the want of Representation? And—founded on property, on numbers, or on past neglect—have they a just claim for that great preponderance in Representation which they will have in the new system as compared with the old one? Bear in mind, that commerce and manufactures have a great advantage in this respect over agriculture. With equal numbers of Representatives they may exercise a much more powerful influence on the public councils. The power which agriculture can bring to bear, is more isolated, more dispersed, than that of manufactures. It has less of activity and energy, and cannot be combined and brought to bear on one point by simultaneous action, like that of commerce and manufactures. The influence of the Press, whether it be for good or evil, tells more rapidly and contagiously on the aggregate societies of towns, than on the inhabitants of country districts. Political unions, and all the devices which, by means of combination, give to men acting in concert, a moral force greater than their actual numbers, tend to increase the influence of a manufacturing as compared with an agricultural population. Every consideration, then, derived from the nature of landed property—from its liability to the envy and rapacity of the many—from the position, habits and characters of those who occupy it, enforce the policy and necessity of providing carefully and permanently for its protection. Consider the class of voters whose privileges would be extended by the adoption of my amendment. They would be the small occupiers of houses and land in agricultural districts in the neighbourhood of small towns. Speaking generally, their interests would be identified with those of agriculture, themselves being either directly engaged in it, or dependent upon its prosperity for their own. If you tell me they are an unenlightened class—I answer, enlighten them, by their admission to civil privilege; rub off the rusticity of their habits; extend their contracted views, by inviting them into the contentions of political and party struggles. It was with this object, that in framing the Jury Bill, I purposely called this class into increased action, and sought to familiarize them with the performance of civil duties, and to multiply their points of contact with the more intelligent inhabitants of towns. Granted, that they are indisposed to innovation—

that their disposition is to maintain things as they are—that they are governed by local ties, and by personal attachments, rather than by considerations of general politics—it is on that very account that I conjure you to extend their influence: they constitute the ballast of the vessel of the State. Beware how you heave it overboard, under the fatal impression that it is an useless encumbrance, occupying space that might be more profitably employed. It may at times retard the velocity of your movement: it may make you less obedient to the sudden impulse of shifting gales; but this, and this alone it is, that enables you to extend your canvass, and insures the steadiness of your course, and the security of your navigation. In the most perfect contrivances of mechanical skill, there are dead-weights, that may seem to the superficial observer to answer no useful purpose; there are opposing movements, which the ignorant may consider to be produced by a wasteful application of power; but these are, in fact, the devices of consummate ingenuity to check superfluous and extravagant force, and by controlling the useless and irregular rapidity of parts of the machine, to smooth and harmonize the action of the whole. In the working of political mechanism similar effects may be produced by giving to that class of the constituent body, to which I have been referring, and to that class of Representatives whom they will probably select, not a preponderance, but a just influence in the State. This Bill makes ample provision for the introduction of active and enterprising talent into the future House of Commons. The same arts by which the favour of popular constituencies has been secured out of doors, must be resorted to within. We shall have abundance of young and zealous advocates for the improvement of the political system—sincere and honest in their endeavours to effect that improvement—but too much disposed to overlook the difficulties and the hazards of perpetual change. They will be influenced by the double stimulus of too sanguine expectations of the good to be effected by innovation, and of pleasing constituents as impatient as themselves of partial evil or temporary distress. Who is to oppose them? Who is to give that advice, and utter those warnings, which a longer experience in public life, and calmer and profounder views of public affairs, may dictate? Will

those men, whose judgment has often swayed the decisions of this House—men of retired habits, averse to the bustle of contested elections, disqualified by age and inclination from competing with younger and more active spirits—will they, in the due proportion, find their way within these walls? Take a man like Mr. Sturges Bourne, for instance,—and I name him with respect and honour:—can there be a doubt of the value of his opinions, and the general soundness of his views? You have closed to him, and the class of which I have made him the Representative, those avenues to this House which were opened to them by the small boroughs. Is it likely that they will seek the favour of very large constituent bodies? Even if they do, do they not incur obligations, tending to diminish that peculiar influence and usefulness which I have assigned to them? Now, if you adopt my proposal—if you give to the towns in schedule B eighty, instead of forty Members—you will facilitate, to a certain degree, the return of that class, whose exclusion will be not a private, but a public misfortune. These, Sir, are the combined considerations on which I rest my proposal. I ask you to redress an inequality in your scheme of Representation unfavourable to the southern division of England, and to the interests which are connected with it; to do this—as you can do it—without violating any one principle of the Bill—without reviving one nomination borough—without depriving any class of the advantages you propose to confer upon it. Let Ireland—let Scotland—let Wales—each have the increase of Members which you propose to allot to her. I ask for no increase to England; but why diminish its present number? I want forty Members to effect my object; and by a strange coincidence, I find exactly forty vacancies arising thus:—you propose to diminish the present number of the English Members by 154: you add 114 new Members, by enfranchising towns and adding to county representation; there remain forty. Dispose of them, by acceding to my proposal, and you maintain the existing, the long-established amount of English Representation. You do more—you avoid an extent of change that is not required to satisfy the preamble or fulfil the principle of your own Bill. Why make wanton innovations? Why not rest satisfied with the destruction already com-

pleted? Why not give a fair trial to your own scheme; and, after having destroyed every nomination borough—having extinguished above one-fifth of the English Representation—be content, for the present, with a much greater change in Government than was ever yet attended with success? If you disregard my opinion, listen to the counsel of one of your own body, who has cast a retrospect on history with the eye of a philosopher rather than that of an annalist, and has taught us how we may benefit by the lessons which wisdom gleans from experience. In taking a review of the institutions of the Anglo-Saxons, in the first volume of his *History of England*, Sir James Mackintosh condemns the narrow, unphilosophical spirit in which the antiquaries of the seventeenth century investigated the state of our ancient Constitution, and raises a warning voice against short-sighted legislation and rash experiments in government, which, if not intended, is, at any rate, admirably adapted, for our instruction. After blaming the prejudiced views of the Tories, he proceeds thus:—"The Whigs, with no less deviation from truth, endeavoured to prove, that the modern Constitution, of King, Lords, and Commons, subsisted in the earliest times, and was then more pure and flourishing than in any succeeding age. No one at that time was taught, by a wide survey of society, that governments are not framed after a model, but that all their parts and powers grow out of occasional acts, prompted by some urgent expediency, or some private interests, which, in the course of time, coalesce and harden into usage; and that this bundle of usages is the object of respect and the guide of conduct, long before it is embodied, defined, and enforced in written laws. Government may be, in some measure, reduced to system, but it cannot flow from it. It is not like a machine or a building, which may be constructed entirely and according to a previous plan, by the art and labour of man. It is better illustrated by a comparison with vegetables, or even animals, which may be, in a very high degree, improved by skill and care, which may be grievously injured by neglect, or destroyed by violence, but which cannot be produced by human contrivance. A Government can, indeed, be no more than a mere draught or scheme of rule, when it is not composed of habits of obedience on the

part of the people, and of an habitual exercise of certain portions of authority by the individuals or bodies who constitute the Sovereign power. The habits, like all others, can be formed only by repeated acts; they cannot be suddenly infused by the lawgiver, nor can they immediately follow the most perfect conviction of their propriety. Many causes have more power over the human mind than written law; it is extremely difficult, from the mere perusal of a written scheme of Government, to foretell what it may prove in action." These, Sir, are truths which no sophistry can evade; and, if they be truths,—if it be justly and wisely said, that government is not a machine which can be constructed by the art of man, according to a previous plan—if habits cannot be infused by lawgivers—if many causes have more power over the human mind than written law—above all, if it be extremely difficult, from the perusal of written schemes of government, to foretell what they may prove in action,—then I conjure you, who are sitting in judgment on the British Constitution, to distrust your own sagacity, and to retain, as far as it be possible, that hold on the mind of man—those motives to willing obedience—which are supplied by ancient usage and the habitual deference to authority.

Lord *J. Russell* said, that he meant to confine himself simply to one proposition, which had been put forward by the right hon. Baronet—namely, that the whole of the boroughs in schedule B should continue to return two Members. He was not prepared to select one as a preferable number—a fact which was clear from the measure itself, inasmuch as the scale of this Bill, if passed, would generally give two Members. When, however, the right hon. Baronet objected to allowing these boroughs to return only one Member each, the House would recollect, that in some of the greatest changes which had ever taken place in the government of this empire—he alluded to the union with Scotland and Ireland—presided over and directed as those changes were, by individuals of great fame and celebrity as statesmen—it was remarkable, that in those changes, the voters were only allowed to send one Member to serve in Parliament. The right hon. Baronet, too, was of opinion, that the conceding of only one Member to a borough would cause the most violent contests. Experience, how-

ever, led him to arrive at a different conclusion. In the city of Dublin, which returned two Members, there had been more bitter and angry election contests than had ever taken place in the city of Limerick, which returned but one Member. The opinion, that the election of one Member would give rise to severe contests, partook, he conceived, of an unfounded fear. He believed that, in practice and reality, those contests would be found to prevail more often in places having the privilege of sending two Members, than in those where the privilege was restricted to one. The question was, whether the parties in any given place were very nearly balanced. Whenever that was the case, a contest was sure to follow; because the majority would never be contented unless they could send two Members to Parliament, while the minority would struggle hard, at least, to send in one. That was the fact with respect to the county of Bedford; the parties there were nearly balanced; and he believed, that there were more contests in that county, with its two Members, than in any place in England, Scotland, or Ireland, sending only one Member to Parliament. The right hon. Baronet then passed to another point. He said, that the House would do a great injury and injustice by selecting many Members from places lying on one side of a line, which he indicated, while very few were taken from the other side of that line—the counties on the one side being agricultural, and on the other manufacturing. It might be answered to this, that the persons thus alluded to, were not the Members for counties, but the Representatives of certain interests, who found their way through those avenues to that House. But, said the right hon. Baronet, “ See how your new system will work. Amersham, and the rest of the boroughs, whether subject to nomination or not, not only represented particular interests, but did also, to a certain extent, represent the counties to which they belonged; and that source of Representation will now be cut away.” But the right hon. Baronet ought to recollect, that by the new system, four additional Members would be given to Cornwall, Dorsetshire, and Wiltshire, and to several other counties in the South and West of England. A perfectly sufficient number of Members was left to represent Cornwall, as that place would, under the Bill, be in the

possession of twelve Representatives. Cornwall was one of those counties which Ministers thought it necessary to despoil more than any other, having been deprived of thirty Members; yet the hon. member for Truro admitted, that it would be better represented under this Bill than it was when it sent forty-two Members to Parliament. Ministers had been accused with having unduly and unfairly enriched Durham, in comparison with Cornwall. But how stood the fact? Cornwall contained 257,000 inhabitants, and Durham 205,000. The former retained twelve Members, or, including Saltash, 13; and the latter would send nine Members to Parliament, being in fair and exact proportion with the population. He did not mean to assert, that all the counties received exactly the whole number of Representatives that their wealth or population might demand. But Ministers, instead of taking the course which the right hon. Baronet recommended—that of carrying their scale more to the South and West—looked rather to the great population of the Northern counties. They found, that Lancashire contained more than 1,000,000 of inhabitants, while Dorsetshire had only a population of 140,000. Therefore, Lancashire was allowed nineteen Members, while Dorsetshire would send only nine, being little more, in the former instance, than two to one. He must, therefore, assert that the last charge which ought to be made against Ministers was, that they had neglected the interests of the Southern or Western counties, or that they had overlooked the agricultural districts. There was a real plan of Parliamentary Reform. They wished to give to those vast dépôts of manufacturing wealth, which, during the last thirty years, had been constantly increasing, that importance to which they were entitled. The individuals connected with them were in the habit of trading with every quarter of the world; they kept up the relations of this country with every portion of the globe; they were, wheresoever they went, admired for their mechanical skill, and envied for their increasing and secure prosperity. Though they had found their way into every part of the habitable world—having for years maintained the character and power of this country abroad, yet, strange to say, they had never found admittance into that House, which should have been their proper place. They ought

to have been in that House, assisting in the Representation of the people of England, and legislating for a great, mighty, powerful, and commercial country. In proceeding as they had done, Ministers felt, that the Representation should not be a Representation of a particular class of men, strongly addicted to a specific set of opinions, and especially devoted to a particular interest. They thought, that if they adopted such a course, persons so selected, might give to the machine of Government an impetus and velocity, not consistent with the established state of things. Therefore it was, that they stopped their career at a particular point, and had laid down a line beyond which they would not go. There were forty boroughs in this schedule which would send one Member each to Parliament, and there were thirty others that would still return two Members. These latter did not contain any great body of constituents, but still they would send Members to Parliament, to represent certain portions of the people, who had as fair a right to be represented as any other portion of the people. By taking this course, he believed that they would add to the stability of the Representation, and that they would obtain an equilibrium which was not to be found in any other scheme of legislation which Ministers could devise. They had left to the boroughs in this schedule the right to send one Member each to Parliament. They had not, in doing this, acted from partial or personal views, but because they thought it right and just to stop where they conceived total disfranchisement to be no longer necessary. The right, hon. Baronet had argued, that, under the new system, persons of retired habits would not find their way into that House. Now, really a person must be of very retired habits indeed, if he could not summon sufficient resolution to ask for the suffrages of electors. The right hon. Baronet had mentioned Mr. Sturges Bourne in support of his argument. But he could see no reason why Mr. Sturges Bourne could not ask for the suffrages of the voters at Lymington, Christ Church, or any other place in Hampshire, in order that he might come into Parliament to support their interests. He admitted, that if such great counties as Lancashire, or Yorkshire, were only to be represented, then men who might be of great service in that House, would undoubtedly be ex-

cluded. But while such places existed as those to which he had alluded, he could not imagine, that Gentlemen would be unable to present themselves before a small number of electors, varying perhaps from 100 to 300. In consequence of the existence of those small boroughs, individuals could easily find their way into that House, at the same time that the country would get rid of a very great grievance—he meant the nomination boroughs. The purchase of seats, and the general system of bribery, would at the same time be done away, and Members sent in for insignificant and inconsiderable places would no longer have the opportunity of overpowering and outvoting the real Representatives of the people. But he was by no means disposed to extend the amount of Representation allowed to those small boroughs. They had a sufficient number of the Representatives of this class. To add forty Members for small boroughs, which was the proposition of the right hon. Baronet, he regarded as a violent alteration in the principle of the Bill. It was one which Government was determined to resist.

Sir *R. Peel* said, the noble Lord seemed to have misunderstood one part of his argument. The noble Lord could see no reason why Mr. Sturges Bourne should not ask for the suffrages of the electors of Lymington. Now, what he (Sir *R. Peel*) said was, that these places were the only ones to which men of retired habits would repair in order to effect their return to Parliament; and, therefore, he contended that they ought to be allowed to send two Members instead of one.

Lord *J. Russell* maintained, that a sufficient number of boroughs remained to satisfy the purpose, even of the right hon. Baronet. There were forty in schedule B, each returning one Member. He thought that was enough for Gentlemen of retired habits.

Mr. *Sadler* was not a little surprised at some of the arguments brought forward by the noble Lord opposite, in reply to what, he considered, the unanswerable speech of the right hon. Baronet below him. He was not a little gratified to find, that after the sweeping measure of injustice which Ministers contemplated, in defence of which they trampled down rights of the most sacred character, however ancient, that in defence of their own plan, they had still, after all, to appeal, as

the noble Lord had just done, to the claim of ancient rights, and to the principle of public utility—thus alternately advancing and reversing principles, as it suited their ill-digested and inconsistent scheme. He was averse, from principle, to touching the rights and privileges of any class of the people, however humble they might be, but he must say, that granting the necessity of the disfranchisement proposed, still the proposition of the right hon. Baronet, and the arguments by which he had supported it, were unanswerable. The distinction which he had drawn between the different interests in this great community, and the necessity of preserving some just proportion between them in this new Constitution, was the more necessary to be observed, as the ancient equipoise of the system, which had in the course of ages adjusted itself to the different interests of the country, was essential to its welfare, and ought, on no account, to be disturbed. The plan adopted by his Majesty's Ministers was unequal and unjust in every point of view, and in its most essential provisions absolutely reversed every just principle of political computation, on which it professed to be established. The only bases on which the representative system could be placed, if removed from the ancient foundations on which it had been so long established, were evidently those of either population, property, contribution to the State, or a due consideration of all these several important distinctions. But the noble Lord's plan, professedly appealing to them, would be found, on examination, to have actually reversed them. The noble Lord had professed to answer the right hon. Baronet by an attempt to prove that these considerations had been attended to, especially in regard to the two great classes, the agricultural and commercial interests; but the more narrowly the subject was examined, the more manifest would it appear, that they had either been ignorant of the proportions involved, or had wilfully reversed them. Not to confine the view of the subject, then, to the line the right hon. Baronet had drawn, but to take a still more minute view of it, the two great distinctions in the population of any country were those of town and country inhabitants; if the former were deemed exclusively manufacturing, and the latter agricultural, the comparison, it was obvious, would unduly favour the former class. But even then, were they to refer

to the test-book of these great political projectors, the census of 1821, and take all the towns of England of as low a population as 2,000 souls and upwards, many of which might be justly deemed rural, still the number of inhabitants the whole contained, including the metropolis, would be found to be only about four millions and a half, while those in the country would amount to about seven millions of souls. Then, suppose property were taken as the basis of the new Constitution, how, he demanded, would that tell for the projected scheme? Why, the houses in the last return of the property-tax were estimated at the yearly value of about fourteen millions, and the land at about thirty-six millions. And it was quite clear, that no inconsiderable part of the former sum ought to be transferred to the latter, to determine the respective amount of value of the town and country property. Again, if they looked to contribution, they would, on examination, find the same inequality. To take only one test—the sums annually contributed to the poor. The last return which had given the distinction in question, stated that contribution as amounting to 6,800,000*l.*; of which just two millions were contributed by the houses (some of which are, of course, in the country parts), including mills, warehouses, and factories; the remainder was the quota contributed by the country. What, then, was the natural, just, and obvious course, to have been pursued by those who profess so little respect for ancient rights, and trample, when it suits their purpose, upon all the established rights of the community? Why, of course, to have shaped their system either in reference to the population, property, or contribution of the country. But they had attended to none of them; they had reversed all such rules. They gave about 300 Members to the constituency of towns (which the noble Mover had, nevertheless, formerly decried so much) and about 150 Members to the counties, many of which county Members, it ought to be observed, would, after all, by the operation of the Bill, as it then stood, be returned by the manufacturing or municipal constituencies of the country. Thus, nearly double the population, and far more than twice the property, and double contribution to the State, would only have one half the number of the Representatives, to say nothing of the invidious and unjust nature of the distinction in the qualification

of town and country voters. So that those who chanced to live in towns would, individually contrasted, have four or five times as much political influence as those who resided in the country. Such was the iniquitous course, for iniquitous he would call it, which the Government was pursuing. Then, again, the uniformity in the qualification which they wished to establish, was of itself a sufficient objection to the whole scheme. The highest authorities, and those entirely devoted to the cause of liberty and their country, had gloried in those diversities in the constituency of the country, through which the various classes of society, they argued, had been constantly represented in that House. The most intrepid friends of freedom had invariably taken this view of the subject. He would mention one only, and that a name calculated to awaken the veneration of every true friend of British freedom. Algernon Sydney, that martyr of liberty, in the *Treatise on Government* which he had delivered for publication immediately before his execution, passed a high eulogium upon the Representative system of the country, and recognized the differences it involved as constituting, in part, its efficiency. He (Mr. Sadler) thought he should not misrepresent that high authority, if he so far trusted his memory as to quote him as saying, that "whether the franchise is vested in the whole of the inhabitants, as in Westminster, or in the Common Hall, as in London, or in the Corporations and Jurats, as in other places, it was all one, the public good was secured; a barrier was raised against tyrannical power, and an efficient Representation secured to the people." And it was essential to the argument to remark, that it was these differences which gave the Constitution the advantage of the most popular part of the Representative system—that which the noble Lord opposite proposed to extinguish for ever; for, as that influence, from the very first, connected with large masses of property an influence which had been exercised, on the whole, so much to the honour and advantage of the country, had on the one hand, given security to property, and stability to the whole system, so it had safely allowed, on the other, the admission into the Legislature, through many constituencies in this country, of the direct Representation of the humblest classes of society. But the new scheme, holding

forth to the people the extinction of what was unjustly designated as usurped and unjust influence in that House, kept as far out of sight as might be, the fact that the influence of the humble ranks of society, however respectable in their station, was, when it took effect, to be utterly extinguished and abolished also. The same constitution-mongers, who professed so much hostility to the undue influence of the great (excepting their own), entertained also an equal dread of the fair influence of the mass of the people; and the same rapacious act, therefore, robbed both of their just rights and privileges, and attempted to establish a new balance, in which not only the elevated, but the bulk of the industrious classes of society, would be thrown totally out of the scale. "And is it (said the hon. Member) come to this, that the professed patriots, the declaimers about equal rights, the loud advocates of the doctrine, that taxation and Representation should be co-extensive, should all at once abandon, not a few or insignificant, but the vast majority of the British public, who, should this Bill pass, would be excluded prospectively from any the least share in the system of Representation. Those industrious classes of society, which have exercised in many places the franchise for ages, are to be henceforth deprived of it, if they cannot afford to live in a 10*l.* house. Was it because such had no share in producing the wealth of the country? They mainly created it. Was it that they gave nothing to its taxes? They were the principal contributors. They furnished the wealth, and fought the battles of the country, and yet this liberal scheme leaves them wholly out of the Representative system, and disgraces and brands them as unworthy of a share in the deliberations of the country. The noble Lord may well talk of prejudices being excited against the measure. The more the Bill is considered, the greater will be the prejudices it will excite. It is subversive at once of the principles of the Constitution, and of every received notion of British freedom. It might be said, that this great majority of Britons would be represented virtually. Did, then, his Majesty's Ministers again avail themselves of the very principles of the Constitution, which they had decried as obsolete, and repudiated as corrupt? After having poured contempt upon the principle of virtual Representation, it would be found

that the present ill-digested plan made far larger demands upon it than the Constitution about to be destroyed; otherwise, what would be the political degradation of much more than twenty millions of British subjects, exclusive of those unnumbered millions, the population of the dependencies of England, in distant parts of the world?" The hon. Member then proceeded to say, that it would be easy to show that the proposed Constitution was founded upon no one principle of political justice or equity, and had had no prototype in any of those theories of Government, whether tried or untried, with which the world had abounded. The noble Lord had appealed again and again to the Constitution of Cromwell. Had he ever examined it? If so, he had profited but little from the model he had professed to revere so much. Cromwell had, indeed, adopted the principles which the noble Lord had only professed to follow. Hence the number of the Representatives to the towns and country parts of the kingdom were most accurately adjusted to the population and property of each. Finding, as he did (for so documents preserved in the Museum enabled him (Mr. Sadler) to conclude), that the town population, including the smaller towns, might amount to about 1,800,000, and the country population to about 3,700,000 souls, in giving 400 Members to England and Wales, Cromwell awarded, though he begged it might be remembered that he spoke from recollection, but he thought with a sufficient degree of accuracy, Cromwell awarded about 135 Members to towns, and 265 to the counties; and documents, to which he would not then refer, existed, which also showed that this was a just proportion as regarded the property of those classes of the population, respectively considered. The Members of the counties also were proportioned by him with equal accuracy. As to the number of the Representatives given by this new plan to the counties, the noble Lord had instituted some comparisons between Cornwall and Durham; he might have compared nearer districts: for instance, the latter county, Durham, with its 207,000 inhabitants, was to have an addition of, he believed, six Members—the adjoining province, Yorkshire, one or two only. The rural population of the West Riding of the latter would have only one Representative for every 300,000, and the former one for little more than

30,000. So much for the noble Lord's boast of the fairness and equity of the scheme. He was sorry to observe some symptoms of impatience from the noble Lord opposite, but he should nevertheless state now, or on any other occasion, if necessary, his objection to the principle or the provisions of this Bill, and charge the noble Lord to fairly meet them. So far from having impeded the progress of this measure by unnecessary and factious delays and impediments, he, and many other hon. Members, who had meant to have expressed their objection to its principle, and to have justified to their constituents and the country the course they had pursued relative to it, had been deprived of the opportunity of so doing, by the indecent haste and eager precipitancy with which this measure had been hurried forwards to its present stage. He would repeat his assertion, and he verily believed that the accusation of factious and unnecessary delay had been urged against that side of the House, for the express purpose of silencing the more just ground of complaint which might be urged against the projectors of this Bill, for their indecent precipitancy. It might have been hoped that a Constitution which had subsisted for ages, and which, it had been declared by the warmest advocates of this Bill, had always exhibited the most marked superiority when contrasted with the institutions of the surrounding nations, and which had been in a constant state of progressive improvement; which had been achieved in the best days, and defended by the noblest patriots England had ever produced; and which had become the admiration of the world, and the model of all the free governments which had been established in it—might have been defended by those who still professed to cherish for it that veneration and attachment which it was once the glory of all to profess. If this new theory were so excellent in its principle, and just in its provisions, it could not suffer from that examination, to which, as a new and untried theory, it ought, in all reason, to be submitted. Already had this Reform Bill, during the short time it had been under consideration, had to be itself reformed at least three times; and its "inadvertencies" would be still found to require rectification, in order to make its provisions either palatable to the people, or practical in operation. But he would not dwell longer on these topics;

other opportunities might occur for that purpose. In conclusion, he could not but concur most heartily in the proposition of the right hon. Baronet, who had stated reasons for it which he thought unanswerable. To maintain peace and harmony in each borough, and with that to preserve the fair Representation of a large minority, which existed in many places, and would always continue to exist, could not but be highly desirable objects in every point of view; and he thought the arrangement recommended by the right hon. Baronet, so consistent with the original principles of the whole Representative system, and the fair and friendly feelings of the constituency of England, and so likely to attain the objects he had just alluded to, that he would give it his most hearty and cordial support.

Mr. *Dominick Browne* had not hitherto addressed the House, because he had not thought it right for an Irish Member to put himself forward upon the English measure of Reform. What he had seen last night, however, had induced him no longer to remain silent. He had last night seen the borough of Saltash transferred from schedule A to schedule B. Now if, of those things which he could not swear to, there was one of more notoriety to him than another, it was, that some twenty years ago the borough of Saltash had been sold for 12,000*l.* for the life of an individual. He could not understand why such a borough should have been saved. The hon. member for Aldborough (Mr. Sadler) had that night dealt in statistics, and upon that subject he always heard the hon. Member with pleasure. The hon. Member, too, had told them, that the basis of what he called the new Constitution ought to be population and taxation, not population alone. Now, he begged to ask that hon. Member, who was so anxious to save the boroughs in schedule B, what proportion those boroughs bore, in population and taxation, to the community at large? According to the census of 1831, the population which ought to return one Member, would be 24,000, and the population which ought to return two Members, 48,000. The Assessed Taxes amounted to about 5,000,000*l.*, and there were 500 English Members, so that a population, to return one Member, ought to pay about 10,000*l.* of the Assessed Taxes. Now, he would put it to the hon. member for Aldborough, which of the boroughs in schedule B contained either

24,000 inhabitants, or paid 10,000*l.* in taxes? For his own part, he should have been inclined to have carried the scale of population a great deal higher than the Ministers had carried it, and should have been happy to have transferred every borough in schedule B to schedule A. He, however, thanked the Ministers for the Bill, such as it was, but he begged to tell the hon. member for Aldborough, that his speech had demonstrated that the anomaly of the Bill, as to property and population, consisted, not in the Bill going too far, but in not going far enough.

Mr. *Wason* would not trouble the Committee with many words, but being prepared with a few facts, which he thought were worth a great deal more than the speech of the hon. member for Aldborough, he was anxious to state those facts to the House. Of the boroughs in schedule B, thirty-nine contained together only 50,000 inhabitants, paid only 32,251*l.* of the Assessed Taxes, and possessed only 4,918 10*l.* houses. They would, under this Bill, have only 12,000 voters, and would return one-twelfth of the Members of the House. It was, therefore, impossible that schedule B should remain a final measure in a reformed Parliament. The way to prevent it would be, to make all these contributory boroughs, and instead of returning thirty-nine Members, to return only sixteen, giving each borough a constituency of about 800 voters. He thought this deserved the consideration of the House.

Sir *T. Fremantle* had not heard one ground adduced for the disfranchisement of the boroughs in this schedule. There might have been some reason for the disfranchisement of the boroughs in schedule A, but he could not see on what principle it was, that these boroughs should be deprived of one of their Members. If they were nomination boroughs, they ought to be totally disfranchised, as those in schedule A had been; and if they were not nomination boroughs, then some reason ought to be given why they were not to be allowed to return two Members, each as heretofore. He did not see how the Ministers could extricate themselves from this dilemma. As Members need not now apprehend being sent back to their constituents for mooted the question, he begged to remind them, that the subject now under discussion involved the question of whether the numbers of the House should or should not be diminished. They

had last night completed the work of getting rid of 111 Members, which number was all they wanted to bestow upon the large towns, and other places. Thus, then, the main object of the Bill was answered, and why, he would ask, should they go any further? He thought, that if there were any independent Member in the House who had not pledged himself to "the Bill, the whole Bill, and nothing but the Bill," such Member might safely divide in favour of the right hon. Baronet's Amendment, without infringing the principle of the Bill.

Mr. *Wason* thought the boroughs in this schedule would best protect themselves, by contracting their numbers, instead of extending them.

An *Hon. Member* contended, that the principle on which it was proposed to deprive these boroughs of one Member had been so frequently explained, that it could be of no use to explain it again to Gentlemen who still were, or pretended to be, ignorant of it. He thought, that the Ministers had acted most wisely in tempering innovation with a certain degree of respect for deep-rooted prejudices and ancient usages. The hon. member for Aldborough, and others on that side of the House, had indulged in lengthy and sympathetic lamentations for the voters who were to be disfranchised, but they had no pity for the thousands of their fellow-subjects who, by the unjust and unequal laws of this country, had hitherto been altogether denied the enjoyment of the elective franchise, though they had been made to contribute largely and heavily towards the exigencies of the State. To past injustice these Gentlemen shut their eyes, and, confining their observations to the present moment, they did not see the prospective improvements which must result from the admission of the substantial and respectable classes of the community into the constituency of the land. When the hon. Member talked of Algernon Sydney being friendly to a varied franchise, implying too, that he was friendly to the corruptions which had since his time grown up in the Representative system, the hon. Member must suppose that his audience knew nothing of that celebrated man. The events of Algernon Sydney's time proved that the people were then fairly represented, and that the encroaching power of the Aristocracy, and the practice of bribery, had not yet created nomination and corrupt

boroughs. Had Algernon Sydney lived to see the rise and operation of this lawless and unconstitutional control, and of these disgraceful practices in the Representative system, the just and honest indignation to which he would have given utterance would have prevented his ever being praised by the hon. member for Aldborough. The right hon. Baronet, too, had made a quotation from the work of a right hon. Gentleman who usually sat on the Ministerial side of the House (Sir James Mackintosh), but allow him to say, that, looking at the aspect of the times, and at the declared wishes of the nation, he considered that quotation to be in favour of, and not against, the Ministerial measure of Reform.

Lord *Eastnor* expressed his intention to vote for the amendment of the right hon. Baronet. As to the general principle of the Bill, he would take that opportunity of saying, that he had, for a long time, been opposed to any extensive plans of Reform. But of late he had seen circumstances connected with the state of the country, which required that something should be done, and he should therefore have been very glad to support a measure emanating from the Government. But to such a measure as this, destroying and rooting up so much of the ancient system and character of the English Constitution, it was impossible that he could bring himself conscientiously to consent. He objected to changes so great and sweeping in our political institutions, from his own conviction of their danger and impropriety, but still more from the experience taught by history, that the wisest and the boldest of our ancestors had always shrunk from great and sudden changes like this, and from the general concurrence of opinion against such changes by the more able and intelligent writers of modern times. These feelings and reflections led him to give his support to the amendment of the right hon. Baronet, which he really considered would be a great improvement of the Bill. He thought that by the preservation of these boroughs, they would preserve in some degree that balance which had maintained the equilibrium of the Constitution; and he was of opinion, that by thus in part disfranchising them, they would take away from that due proportion of influence which the agricultural interest ought to possess. They had been told, that the additional number of county Members

would make up for any loss which the agricultural influence might experience in this instance, but he did not think so, and under such circumstances he should certainly support the amendment proposed by the right hon. Baronet.

Mr. *Cresset Pelham* maintained the necessity of leaving these boroughs the right of sending two Members to Parliament, in order that the different interests not capable of a direct Representation under the constitution might have protection in that House. He contended, notwithstanding the opinions of those Gentlemen who came into that House as Delegates, that the duties of a Member of the House of Commons were not ended when he had considered only the interests of those who voted at his election. He knew that this was the case in America, and for that country he approved of such a Constitution; but it was so because the general Legislature was composed of the Representatives of a federacy of smaller States, and it was therefore right that they should be instructed as to the separate wants and views of those States. But such was not the situation of the Parliament of England, and he trusted never to see the day when it would be so. He had frequently taken occasion to make suggestions concerning the Bill, and in all those cases, as now, he had done so from a wish to make the measure consistent with the institutions of the country, and he believed, that in so doing his proceedings had been calculated to prevent rather than to create delay.

The Committee divided: For the Amendment 115; Against it 182—Majority for the clause 67.*

The question was then put, "that Aldborough stand part of schedule B."

Mr. *Sadler* meant to detain the Committee only for a few minutes, whilst he made an observation or two, which were called for in justice to the respectable constituents who did him the honour of electing him. It had been frequently but erroneously stated, that this was a nomination borough. This assertion he felt himself bound to deny, and he could prove the correctness of his assertion, by reference to parliamentary documents; and as to the constituency, he took upon him-

self to say, that a more respectable, consistent, or honourable one, did not exist in the country. The characters of the voters, if known to the Committee, would rescue them from all the imputations which had been unnecessarily and unjustly cast upon them. It had been said in praise of Old Sarum, that it had the honour of enrolling amongst the number of its Representatives the name of Chatham; and Aldborough had to boast equally distinguished honour, in having elected the same great character when he had been rejected by a more magnificent constituency. In justice to his constituents, in justice to the interests and rights of the borough, and, more than all, in respect for the Constitution, he protested against the unjust and uncalled-for attack upon the rights and privileges of Aldborough.

Mr. *T. Duncombe* said, that all the electors in Aldborough, as well as in Boroughbridge, who had an opinion of their own to give, had expressed themselves in favour of the Reform Bill. If they disfranchised this borough altogether, they would not deprive the constituents there of a franchise which they had ever been allowed to exercise with freedom. He must say, that he for one regretted that his Majesty's Ministers had taken this borough out of schedule A. If it were not too late to put it back again into that schedule, he would move that it should be reinstated there. It was the greatest farce in the world to talk of this borough as possessing a population which should entitle it to be exempted from the operation of this Bill. That population could only be made out for it by culling from four or five adjoining parishes, which had a population in 1821 which they did not now possess. He would defy any set of Parliamentary Commissioners to find a constituency of 300 electors in Aldborough. It would be a most monstrous thing that the country gentlemen and farmers in the neighbourhood of this borough should be deprived of their votes for the county, on account of the preservation of this rotten stinking borough of Aldborough. It would be perfectly monstrous and nonsensical to entertain such a proposition as that. If the hon. Baronet (the member for Westminster) were in his place, he could prove that the seats for this borough had been bought and sold, for that the hon. Baronet had himself purchased his seat for this borough, during the minority of

* At page 457, some information, though only approximate, may be derived from the List there given, concerning this division.

the noble Duke to whom it now belonged. This was one of those boroughs which, according to the preamble of the Bill, should be totally disfranchised, and he would therefore move, as an amendment, "that the borough of Aldborough be returned to schedule A."

Mr. *Sadler* said, that whatever might have occurred in former times, the present electors of this borough were as independent as any in the kingdom. He thought it was ungenerous and unfair to allude to transactions which, whatever might have been their nature, could not have been participated in by the present Duke of Newcastle, who was then only eight years of age, and residing out of the country.

Lord *Stormont* hoped, as the quondam member for Aldborough, that he might be allowed to say a word in favour of that borough. The hon. member for the borough of Hertford (Mr. T. Duncombe) had taken upon him to revile the constituency of that borough, of whom he (Lord Stormont) would say, that there was not a more respectable class of electors in the kingdom. One of the reviled constituency for Aldborough was the hon. member for Hertford's own brother.

Mr. T. *Duncombe*: He is not one of the constituency,

Lord *Stormont* was sure, that the hon. member for Hertford would not say that his brother had not been an elector for Aldborough, for it so happened that the hon. Gentleman had given him his vote, when he was member for the borough. Now the question was, whether the hon. member for Hertford intended to include his brother amongst the degraded constituency of Aldborough? The hon. Member's brother gave him (Lord Stormont) his independent vote, and so did all the other electors who voted for him. The election cost him nothing. When the hon. member for Hertford asked the members for Aldborough who were their constituents, and asserted, that the Duke of Newcastle was their only constituent, it was fair, perhaps, to ask the hon. member for Hertford, what kind of constituency he had? The town of Hertford was most notoriously corrupt, and no person could sit for it who did not spend a large sum of money. It was well known that the person who intended to represent that town must go down in his carriage, and spend a little money, and bring down a friend with him to spend a little more. There was no

bribery or treating, or drunkenness at Aldborough at the election; could the hon. Member say the same for Hertford? Every one knew, that the transaction alluded to with respect to Aldborough took place during the Duke of Newcastle's minority, and when he was abroad, therefore he was in no respect answerable for it; but it was too much the practice of Gentlemen at the Ministerial side of the House, to allude to the manner in which Gentlemen at the other side got into Parliament, and never to allude to the still more disgraceful manner in which they obtained their own seats.

Mr. T. *Duncombe* said, that the personalities in which the Opposition indulged, were extremely amusing. The operation of disfranchisement had a most ridiculous effect on their tempers and passions. They occasionally suffered two or three boroughs to meet their fate quietly, but their boroughmongering affections—

"The ruling passion strong in death," at length prevailed, and out they came, forgetting the borough under consideration, with violent personalities; or else, as an hon. Member observed, with a regular set to, on the principle of the Bill. He had founded his case on the preamble of the Bill, and, according to the principle, he contended that Aldborough ought to be totally disfranchised. He was glad to hear his brother had supported the noble Lord, and if he had been an elector himself, he would have supported him in preference to other persons who were candidates. He still maintained, however, that the electors of Aldborough could not exercise an independent choice, and that there was but one constituent, the Duke of Newcastle. It was said, that the Duke's interest was unfairly dealt with, as Boroughbridge was to be totally disfranchised; and his influence would be abridged, if not extinguished, in Aldborough. This was to argue, however, that because there were four nuisances in the House, they ought not all to be removed. If they could turn out all those intruders (and there was now an opportunity to do so), he contended it was their duty to do it. The noble Lord complained of revilings from the Ministerial side of the House; but there had not been half revilings enough. It was very easy for the hon. Gentlemen opposite to say—"When you turn us out, where will the House get better Members." For his part he could

never see the extreme superiority of those sent by the Duke of Newcastle, and other borough proprietors, as compared with those Members who were sent by independent and numerous constituencies. He could tell those hon. Members, that it was not enough for them to laud and extol themselves; there was another tribunal to put a value upon their services. The people of England knew how to estimate the cost of their services, with the benefits derived from them, and the result of the investigation was not very flattering to those who claimed so much merit for themselves. The sense of the people of England revolted against the continuance of a system of folly, inutility, and corruption; and, in the words of his hon. and learned friend, the member for Kerry, the country had pronounced, in a voice of thunder, that the rotten borough system, "more honoured in the breach than the observance," must be put an end to.

Mr. *Nicholson Calvert* said, he had been connected with the town of Hertford twenty years, as its Representative, and there was no man in that House then held a more independent seat. He had no patron to ask for his assistance, and he never gave a man a shilling at an election for his vote.

Lord *Stormont* observed, that the hon. Member had not stated what he had paid after the election, nor had he assured the House, that since he ceased to represent the town of Hertford, that votes were not sold.

Sir *C. Wetherell* said, he was on this occasion reluctantly compelled to address the Committee, as a reference had been made by the hon. member for Hertford, to Boroughbridge, although that borough was finally disposed of, it might be supposed, by being inserted in schedule A. No other expense attended his election for Boroughbridge, but that which arose from the circumstance of his giving an entertainment after the election. He hoped he had given as good a dinner as the hon. member for Hertford, and he believed a much cheaper one, for the *munitions de bouche*, in his case, instead of costing 3,000*l.* or 4,000*l.*, did not exceed at Boroughbridge the moderate sum of 30*l.* or 40*l.* Now, if any hon. Gentleman at his (Sir *C. Wetherell's*) side of the House, had alluded to a borough already *hors du combat*, it would be cried out against as a waste of time; but the hon. member for Hertford

thought it no waste of time to refer in no measured language, to the borough of Boroughbridge, and the noble Duke who was said to exercise an influence there. Every one, but the hon. member for Hertford, knew, that to charge the noble Duke with the sale of seats, was a foul libel and calumny. The hon. Member thought that Gentlemen at the Ministerial side had been too moderate; that they had not sufficiently reviled their opponents. Now, referring to the hon. Member's observations, he would ask, if that was tenderness, what was severity? If that was oil, what was vinegar? if that was an emollient, what was a caustic? The hon. Member's attack on Boroughbridge, after it was disposed of, was a little out of season; a little posthumous. When the boroughs in schedule A were defunct, up rose the member for Hertford, like a stout warrior, to attack the slain. Why, he asked, was it necessary to rouse the ghost of Boroughbridge, unless, indeed, the hon. Gentleman wanted to imitate a person whom Shakspeare called Falstaff, and who fought with a dead man for an hour. If this was reforming gallantry, the new illumination of a new Parliament, he did not know how to characterise it. He could not, however, treat with levity the attempt to revive the topic connected with this borough, for the purpose of calumniating the character, of as high-minded, honourable, and generous a nobleman, as now lived, or ever lived, in this country. He regretted the subject had been mentioned; but he regretted still more that, when the allusion was made, it was cheered by his Majesty's Ministers. When Ministers taunted the Opposition with wasting time, and not keeping to the question, they were bound to have given some intimation to a posthumous declaimer at their own side, who entered upon the discussion of a bygone topic. The noble Lord certainly ought not to lecture Gentlemen at the Opposition side of the House, unless he extended his admonition to Members at his own side. When next the hon. member for Hertford chose to speak in disparagement of the constituency of Aldborough, if he did not spare the constituency at large, it was to be hoped that his fraternal feelings would induce him to spare his own brother.

Lord *Althorp* agreed with the hon. and learned Member who had just sat down, that there had been an unnecessary departure from the subject under consider-

ation. He rose now, however, to state to his hon. friend the member for Hertford, that if he wished to transfer Aldborough from schedule B to schedule A, that was not the proper time for making such a motion. It might be done at a future period, but the discussion in Committee on the clause containing schedule A, was closed.

An *Hon. Member* stated, that he had contested the town of Hertford during two elections: and it was only justice to the electors to say, that he never knew one of them to have received a bribe.

Mr. *Praed* wished, that the House could get rid of that reckless jocularity which, he conceived prevailed too much occasionally on both sides, in discussing a question of so grave a nature. He rose to suggest to the hon. member for Hertford, that if he wished to transfer Aldborough from schedule B to schedule A, it might be done, in point of form, by negating the question that this borough should stand part of schedule B, and moving, on bringing up the report, that it should stand part of schedule A. It was said to be difficult to find 300 10*l.* houses in Aldborough and its vicinity; there was no clause in the Bill, that made that number necessary. In presuming, therefore, that there must be 300 10*l.* houses, they were not merely looking to a clause which had not been considered, but to one which had not even been proposed.

Mr. *Attwood* wished to know, whether it was the intention of the noble Lord to support the motion of the hon. Member for Hertford at a future period. The noble Lord had not stated his determination; but only that, in point of form, this was not the fit time for bringing forward the motion.

Lord *Althorp* had not thought it necessary to state his determination on the subject; because, as his Majesty's Government proposed that Aldborough should stand in schedule B, if any other Member proposed it should be transferred to schedule A, unless sufficient reasons were stated, he must oppose the motion.

Mr. *G. Dawson* did not think the noble Lord's answer satisfactory, as the noble Lord last night voted for the removal of Saltash from schedule A, in which it was placed by his Majesty's Ministers.

Lord *Althorp* observed, that when the right hon. Gentleman (Mr. George Dawson) rose, he always anticipated some unkind observation. He had stated the grounds

on which he voted last night for excluding Saltash from schedule A. He wished to adhere to the Bill; but, upon consideration, he felt that Saltash could not be fairly and justly retained in schedule A, and, therefore, he voted for the transfer.

Mr. *T. Duncombe* did not exactly see why he should be precluded from moving that Aldborough should be transferred to schedule A. As there was a difficulty, however, he should meet it by proposing "that the borough of Aldborough should cease to return Members."

Mr. *O'Connell* suggested, that the transfer to schedule A might be moved upon bringing up the Report, which would be the most regular form.

The *Chairman* (Mr. Bernal) begged to acquaint the hon. Member (Mr. Duncombe) that, either upon bringing up the Report, or on the motion for the third reading, he might add or omit any words, and thereby effect the object he had in view; but the Committee had determined to proceed regularly; and, in point of form, his motion could not be put now.

Mr. *Stanley* said, it was not competent for the Committee to undo now what it had done last night. It had been then agreed, that the clause containing schedule A, as amended, should stand part of the Bill; so that, in Committee, the discussion on that clause was closed.

Mr. *T. Duncombe* said, the explanation of the right hon. Gentleman was satisfactory.—He withdrew his amendment, and the question, that Aldborough stand part of schedule B, was carried.

The Chairman then put the question, "that the borough of Amersham stand part of schedule B."—Carried.

On the question, "that the borough of Arundel stand part of schedule B,"

Mr. Alderman *Atkins*, as Representative for the borough, must beg leave to make a few observations on the circumstances connected with it. No charge of bribery had ever been made, and he was quite sure none could ever be substantiated. It was by no means a nomination borough, for the electors had not always returned the candidate recommended by the noble Duke who had property in the place. Arundel contained 463 scot and lot burgesses, all resident in the town. No man had been elected into that House more freely than he had been, and he would contend, that the honesty of that House had been proved, on all great occasions,

by the votes which had been given by the borough Members. As there were 463 resident voters in this borough, he should feel it his duty to take the sense of the House on the question. He thought it ought not to be disfranchised.

Lord *D. C. Stuart* declared, that he was independent to the utmost extent of the term, and had been as freely chosen as his hon. colleague, but he felt it his duty, and a painful one it was, to vote for the disfranchisement of one of the Representatives of this borough; and though he did this reluctantly, he yet felt that he was bound to consult the general interests of the empire, as well as to consult the wishes of his constituents.

Lord *J. Russell* said, that the population of the place being within 4,000, he saw no reason for an exemption.

Mr. Alderman *Atkins* said, he had submitted the facts connected with the borough, in discharge of the duty he owed his constituents. If these were not of sufficient weight to exempt the borough from schedule B, it would be useless for him to resist the determination of the Committee. He would not, therefore, put them to the trouble of dividing on the question.

Question agreed to.

On the question, "that the borough of Ashburton (Devon) stand part of the schedule,"

Mr. *Poyntz* said, that having voted against the motion for giving two members to Aldborough, it might appear inconsistent in him to propose giving two members to Ashburton; but this was the strongest case in the schedule. He should read to the House the memorial which had been presented by this borough. The hon. Member read a memorial, presented to the Secretary of State.—The memorialists stated, that according to the census of 1821, the population was 3,403, the inhabited houses 396, those uninhabited, 15; total, 411. The difference between the census of 1821 and that of 1831 was nearly 700, the present population being 4,091, and the increase of houses being 138 since 1821. There were now upwards of 300 houses of 10*l.* a year.

Colonel *Torrens* said, that the inhabitants of the borough of Ashburton were warmly in favour of this Bill, and when it was known to the electors, they had met and voted their thanks to his Majesty's Ministers. It was neither a nomination

borough, nor an insignificant, inconsiderable place. It was the principal seat of a manufacturing district, and had many interests involved in it. He corroborated the statements of his hon. colleague, and added, that there had been an error in the return of 1821, by which eighty-six houses had been left out, owing to the negligence of the returning officer. The case of Ashburton was stronger than that of Appleby, and he reckoned, therefore, upon the support of those Members who had voted on that question.

Lord *John Russell* said, that it did not appear to him that there were sufficient grounds for taking this borough out of the schedule. It appeared, that there was a manor—the manor of Halsanger—containing 500 persons, which it was said had been omitted in the return; but even adding that number to 3,403, the numbers of the borough and parish, it would make 3,903 only, which was considerably below the number of 4,000; and therefore it was not a case of so much hardship as that of Woodstock. With respect to the mistakes which were alleged to be in the returns of 1821, there might be some occasionally; but it was not necessary to go back to correct them. With regard to Ashburton, it was curious enough, that the statements of the petitioners did not make out their case. They stated, that by the recent return there was an increase of 138 houses since 1821; that fifty-two only had been built since that period, consequently, eighty-six houses were omitted; and allowing eight persons to each house, the addition to the population would be 688, which, added to 3,403 (the return of 1821), would make 4,091. But calculating another way, taking the number of houses built since 1821—namely, fifty-two—and multiply this by eight, the number was 416, and subtracting this number from 4,091, the population would be 3,675 only; so that there was no reason, which he could discover, for exempting Ashburton.

Colonel *Sibthorp* complained of the indifference with which the noble Lord treated the census of 1821. He said, some errors might exist, but they were not worth attention. They were to knock borough after borough on the head without stopping to inquire whether they were justified in doing so by the rules which were said to have been laid down for their guidance.

Lord *John Russell* admitted there might be errors in the returns of 1821, but he believed, justice would not be done by going back and endeavouring to correct them.

Colonel *Sibthorp* said, there were so many errors in these returns, that he called upon the noble Lord to take those of 1831.

Motion agreed to.

On the question, "that Bodmin stand part of the schedule,"

Mr. *Davies Gilbert* confessed, that he could make out no case, which, on the principle of the noble Lord, would take it out of the rule. He would remark, however, that the voters were highly respectable persons, and that Bodmin was virtually a county town, increasing in size, and rapidly improving. It was neither a nomination nor a corrupt borough.

Question agreed to.

The question was then put, "that the borough of Bridport stand part of schedule B."

Sir *Horace St. Paul* opposed the motion. The borough of Bridport was co-extensive with the parish, but not with the town of Bridport. By the census of 1821, the population of the borough was 3,742. Now the part of the town of Bridport which was not in the borough was a continuation of the streets of the borough, and contained a population of 1,550 souls. As the town of Bridport was still of the same extent as it was in the year 1821, when the census gave the population above 4,000, he thought that he was only justified in assuming that the population at present exceeded that amount. The number of houses at 10l. annual rent in the borough was now 340; in that part of the town out of the borough, sixty. The census of 1831 gave the population of the town and borough at 4,200. He had now stated a case which, if Gentlemen would recollect figures and numbers, and would only vote impartially, must induce them to take the borough of Bridport out of schedule B. The hon. Member then moved an amendment to that effect.

Mr. *Warburton* opposed the amendment. His hon. colleague had stated the population of the borough of Bridport, which was co-extensive with the parish of Bridport, to be 3,742. His hon. colleague had, however, stated, that there were other parishes included in the town,

of which the population, if added to the population of the borough, would make a population of more than 4,000 for the town of Bridport. Now the jurisdiction of the bailiff and the burgesses of the borough of Bridport was limited to the borough only, and did not extend into the two neighbouring parishes of Bradpool and Allington. What was the population of those parishes? Bradpool contained 926, and Allington 1,139 people. He admitted, that part of the parish of Bradpool might be considered as part of the town of Bridport, but that part of Bradpool did not contain more than 200 inhabitants. Adding that number to the population of the borough, it did not make that population more than 3,942. As to the parish of Allington, it was divided from the town of Bridport by a small river, and no man who knew any thing of the localities would say, that the parish of Allington formed any part of the town of Bridport. Indeed, it was impossible to state, that any part of the population of that parish belonged to the town of Bridport. He therefore asserted, that, in 1821, the population of the town of Bridport did not come up to 4,000, and it was beyond all question, that the population of that borough fell very short of that amount; this induced him to think that the borough of Bridport ought to be inserted in schedule B, and he was happy to say, that such was the opinion of the constituents who had returned him to that House.

Sir *E. Sugden* said, this was a great question, in which the rights of the country were involved; and it did not depend upon the opinion of any individual whether Bridport should be disfranchised. The noble Lord had contended, that his line was right, but had given no reason in support of that line. The noble Lord had said, his object was to bring into life and activity the great towns and boroughs which remained unrepresented; but it was not necessary, for that purpose, to reduce the number of Representatives sent to that House. He should contend, that they were not justified in reducing the Representation without a special necessity. Having said so much, he might add, that the noble Lord's friends were not satisfied with his measure, and the noble Lord would find that a Reformed Parliament would have to finish the work he had begun. Confining himself to the borough of Bridport, he should contend, that it could not

be separated from the case of Truro. Bridport was in the same situation as Truro. The borough of Bridport being co-extensive with the street, all the inhabitants in the street ought to be taken. It was one continuous town, and a person going through it would consider it one town. They had in the town every thing the noble Lord could desire to give it two Members, yet, from a fanciful notion that it had not enough of 10*l*. householders, they took away one of its Representatives. [The hon. and learned Gentleman, at this part of his address, complained of noise in the House.] Did those who were clamorous consider that they were discussing a matter of great interest to the country? Heregretted the barbarous mirth which had attended the disfranchisement of particular boroughs. He must say, that the exhibition which he had witnessed when the disfranchisement of some of the boroughs had been agreed to—the uproarious bursts of laughter in which hon. Members had indulged when now and then any particular borough had been thus treated—struck him as being one of the worst signs of the present times—indicating, that when the Reformed Parliament came, measures would be carried rather by acclamation than calm investigation. No man would then dare to get up in his place and speak sensibly. [laughter]. He dared to say, from that laugh, that he had said something very absurd; but he would say this, notwithstanding the laughter of hon. Gentlemen, that the new Parliament would carry by acclamation many important questions, and not by sound judgment and calm reasoning. His hope was, it might not be so; but it was his opinion such would be the case. The hon. Member who had the honour to represent Bridport had made out the population in 1821 to be 3,972, but then there were the parishes of Bradpool and Allington, and yet it was said they only made 3,972, on the ground that the parish of Allington was divided from Bridport by a rivulet and a bridge. The town, in his opinion, was not within the principle of schedule B. In the town there were a sufficient number of houses to take it out of the noble Lord's schedule.

Lord John Russell observed, that it was very possible for houses to adjoin the borough, without being entitled to be considered as an integral part of it. The case of Truro, on the other hand, was clear and decided, and presented no analogy what-

ever to that of Bridport. Before he sat down, he could not avoid noticing the manner in which the hon. and learned Member opposite (Sir E. Sugden) had thought proper to lecture the House on their mode of discussing public business. Now he happened to have ten years' longer experience of that House than the learned Gentleman, and begged leave to state, for his information, that there was nothing peculiar in the conduct of Members during these debates, which would in any degree justify his sneers or animadversions. When dry and uninteresting details were under consideration, Gentlemen had always been in the habit of conversing with one another as they had done now in the presence of the hon. member for St. Mawe's, so that he might set his mind at rest with respect to the apprehended revolutionary symptoms. For himself individually, he could take credit for being much more fatigued by these discussions than hon. Members who were exempted from avocations during the whole of the morning.

Lord Stormont appealed to the candid and impartial judgment of every Member who had heard the Debate on the borough of Woodstock, whether the case of Bridport was not similar? The noble Lord stated yesterday, that the town and borough of Woodstock, and the hamlet, consisted of 2,000, but the amount of population was disputed. The noble Lord would have admitted the claim to have that borough removed from schedule A, if he could have made out 2,000 without the town and hamlet, which ought to have been included. What was the case of Bridport? It contained 3,972 without the population of part of the town. That was exactly the case of Woodstock. The size of the river that flowed to Bridport was three feet. He contended, that the case of Bridport so closely resembled that of Woodstock as to justify their disposing of both boroughs in a similar manner; but really, the principles on which Ministers acted one day were so different from those which they had laid down upon another, that he could scarcely believe them to be the same Administration. Their imbecility and weakness were, in truth, altogether incredible to those who had not heard their speeches, and witnessed their actions.

Resolution agreed to, and Bridport placed in schedule B.

The Chairman put the question, "That the borough of Buckingham stand part of schedule B."—Agreed to.

The Chairman put the question, "That the borough of Chippenham stand part of schedule B."

Captain *Boldero* said, there were some peculiar circumstances connected with the borough of Chippenham, to which he wished to call the attention of the Committee. He could prove, that the population of Chippenham in 1821 was about 4,411 persons. By a petition from Chippenham it appeared, that an injustice had been done to that borough in the Population Returns of 1821. He knew that it would be next to impossible to set that return right by attempting to enumerate the inhabitants of Chippenham in 1821, but there was another test, and he thought a satisfactory one. He could prove, upon the most unquestionable testimony, that in 1821 there were in Chippenham 755 inhabited houses. It was already established by the returns, that 637 inhabited houses gave a population of 3,621, and going upon the same proportion, it would, of course, follow, that 755 inhabited houses would give a population of 4,411 persons. But this was not all. Chippenham had a right to look at its neighbouring borough. Calne was distant from Chippenham only five miles, and therefore he should not be accused of going out of his way in comparing the one borough with the other. By the returns upon the Table of the House—returns moved for by the Government, and therefore not favourable to the opponents of the Bill by intention—by those returns it appeared, that the number of 10*l.* houses in the borough of Chippenham was 184, and that the number of 10*l.* houses in the borough of Calne was only 124, giving to Chippenham a majority above Calne of sixty houses of the value of 10*l.* a year. It appeared also by those returns, that the number of votes given at Calne, at any election during the last thirty years, did not exceed eighteen, while the number of votes given at Chippenham, at any election during the last thirty years, amounted to 126. Again there was a majority in favour of Chippenham, and it amounted to 108. Still adhering to these Government returns, he turned to the assessments. He found that the assessment for the borough of Chippenham amounted to 1,637*l.*, while that of Calne was only 1,355*l.*, leaving a balance

in favour of Chippenham of 282*l.* The fourth point of comparison to which he wished to draw the attention of the Committee was the number of 10*l.* houses in the two boroughs, according to the returns recently presented, the second series of returns, and dated July 1, 1831. According to those returns there were in Calne 208 houses of the value of 10*l.* a year, and in Chippenham 232. The Committee would observe, that the number of 10*l.* houses in Calne had suddenly and most extraordinarily, and by what means he should not pretend to say, increased from 124 to 208; but still Calne was in arrear of Chippenham, for in that borough the number of 10*l.* houses was 232, it having a majority over Calne of twenty-four. Again, by the returns it appeared the number of voters estimated in Chippenham was 183, while the number in Calne was only 164. The first returns, the Committee would bear in mind, were not made out with any view to the present Bill. With regard to the Assessed Taxes, it appeared that the borough of Chippenham paid 1,067*l.*, and the parish 1,167*l.*, giving a total of 2,234*l.*; while Calne, parish and borough altogether, paid 1,568*l.*, leaving to Chippenham a balance over Calne of 666*l.* It was scarcely possible to think, that two boroughs so near to each other should have a different measure applied to them by his Majesty's Government; but if these Government returns were worth any thing, there was one scale of justice for the borough of Calne, and another for the borough of Chippenham. These facts, however, strong as they were, were not all. At the foot of most of the returns there was some note and comment; but in the case of Calne there was a mere statistical statement. Why was there not a more full return? Because it did not suit the views of Government to have it made. From these particulars he contended, that the borough of Chippenham was better entitled than the borough of Calne to return two Members to that House, and also, that Chippenham had upwards of 4,000 inhabitants in 1821. If necessary to go into the adjacent villages, he was prepared to do so; but he objected altogether to that part of the Bill which gave to Commissioners the power of naming the villages to be entitled to the joint exercise of the elective franchise. Those Commissioners would be named by the Government, and the con-

sequence would be, an unjust and an unconstitutional exercise of Government influence. The hon. and gallant Member recapitulated the points of comparison between the two boroughs, and concluded by calling upon the noble Lord (J. Russell) to allow him an opportunity of adducing the evidence to which he had alluded respecting the population in 1821.

Mr. *Stanley* had not thought, that the borough of Chippenham would be considered to present any difficulties. The borough of Chippenham had nothing to do with the borough of Calne, but was to be considered upon its own merits. The noble Lord who had an influence in Calne, had only three houses out of the 200 10 $\frac{1}{2}$ houses in that borough. The hon. Member found fault with the population returns of 1821, but he did not offer to prove the error.

Captain *Boldero* said—"Yes, I did, and upon oath."

Mr. *Stanley* contended, that the Committee must adhere to the population returns, or else it would be led into endless difficulties. According to the returns, the population of the parish and borough of Chippenham—not the borough alone—amounted only to 3,021 inhabitants. He saw no reason for altering the schedule.

Captain *Boldero* said, he had evidence within 200 yards of the House, to prove that the returns of 1821 were erroneous. He would ask the right hon. Secretary, if in other instances the parish and the borough had not been taken together?

Mr. *Stanley* did not object to such being the case; he only pointed out, that the population of 3,021 referred to both borough and parish.

Captain *Boldero* only asked, upon behalf of an ancient borough, the privileges of which were assailed, the same attention that was bestowed upon the personal privileges of a Member of that House. He asked, that the subject might be investigated by a Select Committee.

Mr. *Sadler* observed, that there had been an error in the population returns for Chippenham in 1801, and, therefore, it was probable an error had again occurred. Some respect should be shewn to the borough of Chippenham, its antiquity was undoubted, and its enfranchisement could be traced to the man who first established the Representative system, and was the father and the founder of the British Constitution.

Mr. *G. Bankes* was astonished at the opposition now offered. When the case of the Appleby petition had been decided, it was understood and specifically stated, that it would be competent for any Member to produce any necessary evidence. Justice and common sense demanded, that the offer of the hon. and gallant Member should not be rejected. How could that offer be refused if the language of the noble Lord (Lord Althorp) was to be adhered to? He alluded to what had fallen from the noble Lord, when he objected to Counsel being heard at the bar in the case of Appleby. If hon. Members were not satisfied with the word of the hon. and gallant Member, that hon. and gallant Member ought to be allowed to go into evidence.

Sir *R. Peel* called the particular attention of the Committee to the case. The offer of the hon. and gallant Member was such as he apprehended could not be refused. The further they proceeded, the more he became convinced, that a great error had been committed in not referring the whole of these details to a Select Committee. In 1821, by the population returns, there were in Chippenham borough and parish, 576 inhabited houses. He turned to the population return of 1811, and by that it appeared, that there were in Chippenham borough and tithings, 668 inhabited houses. It was clear, therefore that there must be some mistake. Surely that was a very strong presumptive proof, that the hon. Member might be able to show that there had been some great error in the other point.

Mr. *Pusey* stated, that by the population returns of 1821, Chippenham was rated at 521 houses, and 3,500 inhabitants; but he was in possession of a parish document, which proved, that in 1821 there were 756 houses. He had no doubt, that at present the place contained 4,300 inhabitants.

Sir *Robert Peel* begged to add, that in 1811 there were thirty-three uninhabited houses, and in 1821 nineteen; so that by comparing the two returns, 100 houses and upwards, unless it was asserted that they had been taken down, had not been accounted for by the later return.

Lord *Althorp* admitted, that there might have existed a mistake in the return of the number of houses in Chippenham, but denied, that such a mistake involved another in the population return; and

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as to calling evidence to prove in what the mistake consisted, where, he might ask, was such to be had? How was it possible for any one to be cognizant of the population of Chippenham, except the person who had made the return on oath; and how could he be examined as to the credibility of his own return? He had little doubt there was a mistake in the return of the number of houses, but he had just as little doubt, that the error had not extended to the population return.

Mr. *Sanford* said, the houses might be inhabited by a less number of persons, and this would account for the diminution of the population.

Sir *C. Wetherell* observed, that as the House had rejected the demand of the boroughs to be heard by Counsel, or by evidence at their bar, and had, by the suggestion of the Government, consented to suffer the truth of each case to be made out in the Committee, he must be allowed to ask the noble Lord, why there were such objections offered on the part of Ministers to suffer the marked boroughs to be defended? For if this House refused it to the hon. Members who were interested in their defence, he must accuse the Government of having given delusive promises. There was a mistake in the return, involving the omission of 110 houses, and he presumed there could be no doubt whatever that there was a similar mistake in the population return. Let him, however, now remind the House, that although they were a legislative body, they were not constituted a judicial body; and, if they wrested to their own purposes the power of judgment, he must remind them that there was another place where the legislative was united to the judicial functions, and where, if justice were refused in that House, it would infallibly be granted.

Lord *Althorp* observed, that he had already answered the question of the hon. and learned Member; and as to any error, such as was alleged to exist in the population return of Chippenham, all he could reply was, that from the year 1801 to the year 1821, in the three censuses which had been taken, there was a progressive and equal increase between each period; a circumstance certainly which lessened the chance of any mistake having been committed in the return of 1821.

Sir *C. Wetherell* found, that by the census of 1831, the population amounted to 4,333. These returns were the data on

which the noble Lord built his opinions of progressive population, but he declined to argue further upon them. Now, he in reply said, that the difference between 3,506 in 1821, and 4,333 in 1831, was an increase of no great magnitude, and consequently it was fair to presume there was an error in the former return. As it was the bounden duty of Government to rectify every mistake, Chippenham had made out a fair case for deliberate examination.

Sir *R. Peel* said, that there was one broad fact staring them in the face, which was, that there were 105 houses in Chippenham missing from the census of 1811. In that year the number was 705; and in 1821 the number returned was 600. It had been urged as a reason for this decrease in the number of inhabited houses, that trade had declined, that persons had become bankrupts, and that housekeepers had given up their residences, and taken themselves off elsewhere; but such was evidently not the fact, because the population of 1811 was greater in proportion, and the houses were more thickly inhabited, than in 1821; and when the noble Lord talked of the difficulty of procuring any evidence on this subject, he must be suffered to remind him, that probably the man who made the return of 1821, was in existence, and to be found, and he could be brought forward to state the reason for having omitted to reckon so large a number of houses as 105 in the return made by him. He did not ask to have evidence generally, since such had been rejected; but, at all events, let the case of Chippenham be an exception to the others, having so fair a claim to that exception, until the facts were placed rightly before the House.

Mr. *C. W. Wynn* remarked, that the noble Lord had very confidently denied the existence of a mistake in the population return of Chippenham for 1821, whilst he had admitted the possibility that such did exist in the return of the number of houses; but he would ask any man of practical knowledge in that House, whether there could be a mistake of that nature, that 100 houses had been altogether omitted and the population of them returned. The probabilities were against this, and by the idleness or negligence of the returning Officer, Chippenham would lose the right of returning two Members. Was it reasonable, in such

a case, to refuse evidence of the error? Would Gentlemen say, "we will give no opportunity to make out your claim to this privilege, because we are about to take it away." The facts ought certainly to be inquired into.

Lord *Milton* argued, that if an inquiry were gone into in this case, it would be impossible to say where it would end. Suppose an error to have arisen from the negligence or incompetence of the returning Officer, how were they to set the matter right after a lapse of ten years? Now, what was really the case of those who advocated the cause of the borough? It was admitted by them, there had been an increase of from 100 to 200 persons, between the periods of 1811, 1821, and 1831, in the population; but that would be of no avail to entitle the borough to be excluded from schedule B. They must require an actual increase of 500 or 600 in addition. The number of houses was referred to as evidence of the mistake, and a gallant Officer had asserted, that he could prove the population in 1821 was above the required number. But how could he do this? the examination of the circumstances would lead to endless inquiries. Though the principles on which the schedules A and B were founded were not quite agreeable to his opinions, yet as they had been adopted in the Bill, he should vote for them, and did not see that any case had been made out to warrant inquiry into the case of Chippenham.

Sir *H. Hardinge* knew not on what grounds the noble Lord could refuse, at least, inquiry into the case established by the petitioners from Chippenham. If Ministers did not believe the statements of Opposition Members, they ought, in consistency with their popular professions, to lend an attentive ear to the petitions of the people. The Chippenham petition stated, that in 1821, the number of houses in Chippenham were 600, while 786 were returned in 1831, being a difference of 186. The petitioners offered to prove that the actual increase was only thirty-five houses. This was direct evidence of a mistake, and the documents to which the petitioners referred in support of their statement were not taken with a view to uphold their present case. The population returns of 1821 must, therefore, be erroneous. If they refused time to ascertain the truth of these allegations, he thought it a case in which hon. Members would be

warranted in having recourse to extraordinary means of procuring delay.

Lord *Althorp* could not see how the present case could provoke such an extreme proceeding as that just menaced; the rather, as the question was merely one of fact, as to the amount of population instead of houses. No good could possibly arise from delay, and the inquiry would be endless.

Sir *R. Peel*, in urging the noble Lord to assent to the proposition for delay and inquiry into the discrepancy between the population returns before the House, did not want to throw unnecessary obstacles for the purpose of delay in the way of the Bill. Let them drop Chippenham till inquiry had been made, it being evident there was no authentic data for them to legislate upon yet furnished, and proceed with the next borough on the schedule; and should it appear that the population did not exceed the line, he, for one, would vote for retaining it in its present position. They had disposed of several boroughs this night without meeting one which had such claims for consideration, and it was probable they should meet with no more such. He would therefore suggest, that a Committee should be appointed to examine the returning Officer, who was now in Town, and they could proceed with other boroughs without establishing an inconvenient precedent.

Mr. *Hughes Hughes* approved of the course pursued by the noble Lord, the Chancellor of the Exchequer, in not going into evidence, for the petitioners admitted, that "to produce positive proof at the distance of ten years of the actual number of inhabitants in 1821 was nearly impossible, but that with regard to the number of houses, there was no such difficulty." Now it was the number of inhabitants, not houses, which the House required. The petitioners then alleged as evidence, "that they could produce an actual survey, made nearly at the time of the census in 1821, for the purpose of fixing a poor-rate, by which it appeared the parish then contained 755 houses; it was impossible for the House to believe the parish authorities should, about the same time, have made one return of 600 houses, in compliance with an Act of Parliament, and another of 755 houses for a less important object. The only way it could be accounted for was, that the 155 houses were not finished, or uninhabited, and there-

fore not visited for the purpose of the census. At all events, it was impossible to legislate by rule of proportion, and infer there were 905 inhabitants in these houses, and in consequence, allow this inconsiderable place the privilege of returning two Members to Parliament. On these grounds he should vote for the continuation of the borough in schedule B.

Mr. *Benett* thought, that nothing could be more easy than to account for the discrepancy. It arose from a mistake in figures, probably in the printing, and if so, the population was rightly estimated. The number of inhabited houses in 1811, was stated to be 668, and in 1821, 575, by changing the 5 into 6, in the latter sum he had no doubt that a proper correction would be made, and all difficulties solved.

Mr. *Gisborne* contended, that the advocates for delay were bound to make out a *prima facie* case that their proposed inquiry was likely to raise Chippenham above the line, before it could be assented to by the House. He saw no reason for appealing to the number of houses. The advocates of the borough, for the purpose of raising the population to the required number, called to their aid a petition, in which it was inferred, that it amounted in 1821, to 4,411. Now, if in the first period of ten years, the population increased only ninety, and in the second 829, a great disproportion certainly, at this moment it would not amount to 4,411. He, therefore, considered it nearly impossible to bring the borough within the line of preservation, and consequently no case for delay or inquiry had been made out.

Sir *Jacob Astley* thought, that the petitioners from Chippenham had made out a case which in itself called for inquiry. He had the honour to represent the county in which the borough was situated, and could bear testimony to its comparative respectability with any borough in the county of Wiltshire.

Mr. *D. W. Harvey* had before expressed his decided hostility to the principle of admitting each borough to prove its own case, because abundant testimony would be always ready to support its claims; nevertheless, cases might arise in which facts were at variance with the statements on which the House was called upon to decide. That appeared to be the case with this borough, and further inquiry was requisite before they pronounced judgment. That would be no departure from the

principle of the Bill. Suppose the result of the inquiry established the fact, that the population of Chippenham in 1821 exceeded 4,000, the borough would be brought within other provisions of the Bill. It was said, the population in 1811 was greater than in 1821; that might be the case, and the cause be ascribed to commercial depression. They were bound to suppose, that houses implied occupiers, and then they would have the inconsistency that in 1811 there were more inhabitants than in 1821, although, subsequent to 1821, there had been an increase of houses. The case of this borough ought, therefore, to be postponed for further inquiry, and the Committee ought to be satisfied of the truth or falsehood of the different statements made on this point. The question turned on the extraordinary discrepancy in the amount of population at different periods; that was a good ground of suspicion and required explanation.

Sir *Robert Peel* must contend, there was evidence of a progressive increase in the population of the borough, for it was infinitely more probable that the advance should have continued for the last twenty years than that such a sudden progress should have been made in the last ten. The first period shewed an advance of only ninety by the returns, and the last of 829; this was, on the face of it, proof of an error in the returns of 1821. It was said again, this arose only from a figure being misplaced; prove that point, and he would give up the question. But the suspicion of such a mistake rendered inquiry necessary.

Mr. *Gisborne* said, had the increase been really progressive, the one-half of the whole increase of the twenty years would not make the population equal to 4,000 in 1821.

Mr. *Maberly* said, if twenty per cent was added to the alleged increase between 1811 and 1821, give the borough all this benefit, and then the population would be under 4,000 at that time. No further information could be obtained by a Committee. There were no documents to prove the error said to exist in the returns. Had any case been made out, he would have voted for the Amendment, but he still continued of opinion, the borough must remain in schedule B, and there was no occasion for further inquiry.

Sir *Robert Peel* said, hon. Gentlemen thought it would be better that these

boroughs should remain where they were, and yet voted against an attempt to prove they were entitled to be left where they said they ought to be.

Captain *Boldero* thought, that the petitioners had established a case that called for inquiry. He was in hopes he might have been allowed to substantiate these facts, but as this was refused, he must take the sense of the Committee.

The Committee divided on the Amendment:—Ayes 181; Noes 251;—Majority 70.

The original question put and carried, and Chippenham added to the schedule,

List of the NOES.

Acheson, Viscount	Cavendish, W.
Adam, Admiral C.	Chapman, M. L.
Althorp, Viscount	Chichester, Col. A.
Anson, Hon. G.	Clive, E. B.
Atherley, Arthur	Colborne, W. R.
Baillie, James E.	Cradock, Col. S.
Bainbridge, E. T.	Crampton, P. C.
Baring, Sir T.	Creevey, T.
Baring, F. T.	Cunliffe, O.
Barnett, C. J.	Curteis, H. B.
Bayntun, Capt. S. A.	Dawson, A.
Belfast, Lord	Denison, W. J.
Benett, J.	Denman, Sir T.
Berkeley, Captain	Doyle, Sir J. M.
Bernal, R.	Duncannon, Viscount
Bernard, T.	Duncombe, T. S.
Biddulph, R. M.	Dundas, C.
Blake, Sir F.	Dundas, Hon. T.
Blamire, W.	Dundas, Hon. Sir R.
Blankney, W.	Dundas, Hon. J. C.
Blount, Edward	Easthope, J.
Blunt, Sir C.	Ellice, E.
Bodkin, J. J.	Ellis, W.
Bouverie, Hon. D. P.	Etwall, R.
Boyle, Lord	Evans, Col. De Lacy
Boyle, Hon. J.	Evans, W. B.
Brabazon, Viscount	Ewart, W.
Brayen, T.	Fergusson, R.
Briscoe, J. J.	Ferguson, R. C.
Brougham, W.	Ferguson, General
Brougham, J.	Foley, J. H. H.
Browne, J.	Foley, Hon. T. H.
Browne, D.	Folkes, Sir W.
Brownlow, C.	Fox, Lieut.-Colonel
Bulwer, E. E. L.	French, A.
Bulwer, H. L.	Gillon, W. D.
Bouverie, P.	Gisborne, T.
Bunbury, Sir H.	Graham, Sir J. R. G.
Burke, Sir J.	Graham, Sir S.
Burton, H.	Grant, Right Hon. C.
Byng, G.	Grant, Right Hon. R.
Callaghan, D.	Grattan, J.
Calvert, N.	Guise, Sir B. W.
Campbell, W. F.	Gurney, R.
Carter, J. B.	Handley, W. F.
Cavendish, C. C.	Harty, Sir R.
Cavendish, Lord G.	Hawkins, H.
Cavendish, H. F. C.	Heathcote, Sir G.

Heathcote, G. J.	Milton, Lord
Heywood, B.	Moreton, Hon. H.
Hill, Lord G. A.	Morpeth, Viscount
Hodges, T. L.	Morrison, J.
Hodgson, John	Mostyn, E. M. L.
Horne, Sir W.	Mullins, F. W.
Hort, Sir W.	Musgrave, Sir R.
Hoskins, K.	Newark, Lord
Howard, Hon. W.	Noel, Sir G. N.
Howard, P. H.	North, F.
Howard, H.	Norton, C. F.
Howard, R.	Nowell, A.
Howick, Viscount	O'Connell, M.
Hudson, T.	O'Ferrall, R.
Hughes, J.	O'Grady, Hon. S.
Hughes, W. H.	O'Neill, Hon. Gen. J.
Hughes, Colonel	Orde, W.
Hutchinson, J. H.	Osborne, Lord F. G.
Ingilby, Sir W.	Paget, Sir C.
Innes, Sir H.	Paget, T.
James, W.	Palmer, C. F.
Jeffrey, F.	Palmerston, Lord
Jephson, C.	Parnell, Sir H.
Jerningham, H. V.	Payne, Sir P.
Johnston, A.	Pelham, Hon. C. A.
Johnston, J.	Pendarves, E. W. W.
Johnstone, Sir J.	Penlease, J. S.
Johnstone, J. H.	Penryhn, E.
Kemp, T. R.	Pepys, C. C.
Kennedy, T. F.	Perrin, L.
Killeen, Lord	Petit, Louis H.
King, E. B.	Petre, Hon. E.
King, Hon. R.	Philipps, Sir R.
Knight, H. G.	Philipps, G. R.
Knight, R.	Phillips, C. M.
Knox, Hon. J. H.	Polhill, F.
Labouchere, H.	Ponsonby, Hon. W.
Lambert, H.	Ponsonby, Hon. G.
Lambert, J. S.	Powell, W. E.
Langston, J. H.	Power, R.
Langton, W. Gore	Poyntz, W. S.
Lawley, F.	Price, R.
Leader, N. P.	Price, Sir R.
Lee, J. L.	Protheroe, E.
Lefevre, C. S.	Pryse, P.
Lemon, Sir C.	Ramsbottom, J.
Lennard, T. B.	Rice, Rt. Hon. T. S.
Lennox, Lord W.	Rickford, W.
Lennox, Lord J. G.	Rider, T.
Lester, B. L.	Ridley, Sir M. W.
Lloyd, Sir E. P.	Robinson, Sir G.
Loch, J.	Rooper, J. B.
Lumley, J. S.	Ross, H.
Maberly, W. L.	Russell, Lord J.
Maberly, J.	Russell, John
Macauley, T. B.	Sandford, E. A.
Macdonald, Sir J.	Sebright, Sir J.
Mackenzie, J. S.	Sheil, R. L.
Macnamara, W. N.	Skipwith, Sir G.
Mangles, J.	Slaney, R. A.
Marjoribanks, S.	Smith, J. A.
Marshall, W.	Smith, R. V.
Martin, J.	Smith, G. R.
Mayhew, W.	Smith, M. T.
Milbank, M.	Spence, George
Mildmay, P. St. J.	Spencer, Hon. F.
Mills, J.	Stanhope, Captain

Stanley, J.
 Stanley, Right Hon.
 E. G. S.
 Stephenson, H. F.
 Stewart, Sir M. S.
 Stewart, E.
 Stewart, P. M.
 Strickland, G.
 Strutt, E.
 Stuart, Lord P. J.
 Stuart, Lord D. C.
 Tennyson, C.
 Thicknesse, R.
 Thompson, Alderman
 Thompson, P. B.
 Thomson, Rt. Hon. C.
 P.
 Throckmorton, R.
 Tomes, J.
 Torrens, R.
 Trail, G.
 Troubridge, Sir E.
 Tynte, C. K.
 Tyrell, C.
 Venables, W.
 Vere, J.
 Vernon, Hon. G. J.
 Villiers, F.

Villiers, H.
 Vincent, Sir F.
 Waithman, Alderman
 Walker, C. A.
 Warburton, H.
 Warre, J. A.
 Wason, W. R.
 Watson, Hon. R.
 Webb, Colonel E.
 Western, C. C.
 Westenra, Hon. H.
 Weyland, Major
 White, S.
 White, H.
 Whitmore, W. W.
 Wilks, J.
 Williams, W. A.
 Williams, Sir J. H.
 Williamson, Sir H.
 Winnington, Sir T.
 Wood, J.
 Wood, C.
 Wrightson, W. B.
 Wrottesley, Sir J.
 Wyse, T.

TELLERS.

Hunt, H.
 Nugent, Lord

List of the AYES.

A'Court, Capt. E. H.
 Adeane, H. J.
 Alexander, James
 Antrobus, G. C.
 Apsley, Lord
 Arbuthnot, Captain
 Arbuthnot, Hon. Major-General H.
 Archdall, General M.
 Ashley, Lord
 Ashley, Hon. John
 Astley, Sir J. D.
 Atkins, J.
 Attwood, M.
 Baldwin, C. B.
 Balfour, J.
 Bankes, W. J.
 Bankes, George
 Bateson, Sir R.
 Becket, Sir J.
 Bentinck, Lord G.
 Beresford, Colonel M.
 Best, Hon. W. S.
 Blaney, Hon. Capt C.
 Bolero, F. G.
 Bradshaw, R. H.
 Bradshaw, Captain J.
 Brecknock, Earl of
 Brogden, J.
 Bruce, Charles C. L.
 Brudenell, Lord
 Brydges, Sir John
 Buck, L. W.
 Bulkeley, Sir R. W.
 Buller, Sir A.
 Burge, W.
 Burrard, George

Burrell, Sir C.
 Canning, Sir S.
 Capel, J.
 Castlereagh, Viscount
 Chandos, Marquis of
 Cholmondeley, Lord
 Churchill, Lord C. S.
 Clements, Col. J. M.
 Clive, Viscount
 Clive, Hon. R. H.
 Clive, Henry
 Cockburn, Sir G.
 Cole, Lord
 Cole, Hon. A.
 Conolly, Colonel
 Cooke, Sir H.
 Cooper, E. J.
 Corry, Hon. H. L.
 Courteney, T. P.
 Cumming, Sir W. G.
 Curzon, Hon. R.
 Cust, Hon. Capt. P.
 Cust, Hon. Col. E.
 Davidson, D.
 Dawkins, J.
 Dawson, Hon. G. R.
 Dering, Sir E. C.
 Dick, Quintin
 Domville, Sir C.
 Douglas, Hon. C.
 Douglas, W. R. K.
 Drake, T. T.
 Drake, Col. W. T.
 Dugdale, W. S.
 East, J. B.
 Eastnor, Viscount
 Eliot, Lord

Encombe, Viscount
 Estcourt, T. H. S. B.
 Estcourt, T. G. B.
 Fane, Hon. H. S.
 Ferrand, W.
 Forbes, J.
 Forbes, Sir C.
 Fordwich, Lord
 Forrester, Hon. G. C.
 Fox, S. L.
 Fremantle, Sir T.
 Freshfield, J. W.
 Gordon, Hon. Capt.
 Gordon, Col. J.
 Gordon, J. E.
 Grant, General Sir C.
 Grant, Hon. Col. F.
 Handcock, R.
 Hardinge, Sir H.
 Harris, G.
 Harvey, D. W.
 Hayes, Sir E.
 Herbert, Hon. E. C. H.
 Herries, J. C.
 Hill, Sir R.
 Hodgson, F.
 Holdsworth, A. H.
 Holmsdale, Visc.
 Hope, H. T.
 Hope, J. T.
 Howard, Hon. Col. F.
 Ingestrie, Viscount
 Inglis, Sir R. H., Bart.
 Jenkins, R.
 Jermyn, Earl
 Jolliffe, Sir W. G. H.
 Jolliffe, Col. H.
 Jones, Capt. T.
 Kearsley, J. H.
 Kemmis, T. A.
 Kenyon, Hon. L.
 Kerrison, Sir E.
 Kilderbee, S. H.
 Knight, K. L.
 Lascelles, Hon. W. S.
 Lefroy, Dr. T.
 Lefroy, A.
 Lindsay, Col. J.
 Lovaine, Lord
 Lowther, Hon. Col. H.
 Lowther, J. H.
 Luttrell, J. F.
 Lyon, D.
 Mackillop, J.
 Mackinnon, W. A.
 Mahon, Visc.
 Maitland, Visc.
 Maitland, Hon. Capt.
 Malcolm, Sir J.
 Mandeville, Visc.
 Maxwell, H.
 Meynell, Capt. H.
 Miles, P. J.
 Miles, W.
 Miller, W. H.
 Mount, W.
 Murray, Sir G.

Neeld, J.
 North, J. H.
 Nugent, Sir G.
 Pearse, J.
 Peel, Sir B.
 Peel, W. Y.
 Peel, Edmund
 Peel, Colonel J.
 Pelham, J. C.
 Pemberton, T.
 Perceval, Colonel
 Perceval, Spencer
 Pigott, G. G. W.
 Pollington, Viscount
 Porchester, Lord
 Praed, Winthrop M.
 Pringle, A.
 Pusey, F.
 Ramsay, W.
 Rae, Sir W.
 Rochfort, Colonel G.
 Rogers, E.
 Rose, Sir G. H.
 Rose, Captain P.
 Ross, C.
 Ruthven, E. S.
 Sadler, M. T.
 St. Paul, Sir H. D.,
 Scarlett, Sir J.
 Scott, H. F.
 Severn, J. C.
 Seymour, H. B.
 Sibthorp, Col.
 Smith, Hon. R.
 Smith, S.
 Somerset, Lord G.
 Stanley, Lord
 Stewart, C.
 Stormont, Viscount
 Talbot, C. R. M.
 Taylor, G. W.
 Thynne, Lord J.
 Thynne, Lord H. F.
 Thynne, Lord E.
 Townshend, Hon. Col.
 Trench, Col. F. W.
 Trevor, Hon. A.
 Tullamore, Lord
 Tanno, E. R.
 Ure, M.
 Villiers, Viscount
 Walrod, B.
 Walsh, Sir J. B.,
 Warrender, Sir G.
 West, F. R.
 Wetherell, Sir C.
 Williams, Robert
 Wood, Colonel T.
 Wortley, Hon. J. S.
 Wrangham, D. C.
 Wynn, Sir W.
 Wynn, C. W. W.
 Wynn, J.
 Yorke, C. P.
 Young, J.

TELLER.

Clerk, Sir G.

HOUSE OF LORDS, Thursday, July 28, 1831.

MINUTES.] Petitions presented. By the Marquis of SLIGO, from Gentry, Merchants, and Inhabitants of Sheffield, in favour of the Manchester Rail Road Bill. By the Duke of NORFOLK, from Roman Catholic Inhabitants of Kilshanick, for an alteration of the Grant for Education (Ireland). By Viscount GODERICH, from 15,000 Workmen and Labourers, in several Parishes in Stafford; and by the Marquis of BUTE, from Land Owners, Tradesmen, and Inhabitants of Merthyr Tydvil, against the Truck System. By the Earl of GLASGOW, from the Provincial Synod of Caithness and Sutherland, for the abolition of Slavery.

BUILDING CHURCHES.] The Bishop of London moved the Committal of the Church Building Acts Amendment Bill, and the House resolved itself into the Committee accordingly.

When the Committee came to the discussion of the Clause by which private persons were allowed to erect and endow new churches in places where 300 inhabitants of the parish were at a distance of more than two miles from the parish church,

Lord *Kennyon* moved, that for two miles, four miles from any existing church or chapel, should be substituted,

The Bishop of *London* thought, that the Amendment would be unfavourable to the interests of the Church, and refused to agree to it. If the noble Baron persisted in his Amendment, he must divide the Committee on it.

The Committee divided on the Amendment: Contents 7; Not Contents 18—Majority against the Amendment 11.

Some other Amendments were agreed to, and the House resumed.

PAPERS RELATIVE TO THE BELGIC NEGOTIATIONS.] Earl *Grey* informed their Lordships, that he had now in his hands the two Papers relative to the Belgic Negotiations, which, as he had stated the other night, he thought might now be presented to their Lordships. These papers were the Protocol agreed to by the four Powers relative to a new arrangement in regard to the fortresses on the Belgic frontiers; and the letter addressed to Prince Talleyrand, as representative of the French Government, communicating the purport of that Protocol. It was not his intention to found any motion on those Papers, and he, therefore, had to move, merely in the usual course, that they lie on the Table.

The Marquis of *Londonderry* begged leave to ask the noble Earl, whether these were all the papers which he meant at

present to lay on the Table, on the subject of these negotiations? It appeared from partial publications of documents in those sources of information to which all had access—he meant the newspapers—that there were other most important papers in existence relative to the late negotiations for the settlement of Belgium—papers which developed the most extraordinary opinions put forth and acted on by his Majesty's present Ministers, and which, since the recent declaration of the king of Holland, had become of peculiar importance. It was highly expedient that their Lordships should, as speedily as possible, have all these documents before them, that they might be enabled to form a correct judgment upon them without delay. He asked whether our old and most faithfully had not been sacrificed by Ministers in the recent proceedings relative to Belgium? His own opinion was, that it would appear that the King of Holland had been sacrificed—had been basely and treacherously treated by his Majesty's present Ministers. He had been taunted with being disorderly when, on a former occasion, he had asked his Majesty's Ministers whether the King of Holland had been admitted as a party to the negotiations on the subject of Belgium; but who could say now, after seeing the recent declaration of the king of Holland, relative to the eighteen Articles which had been agreed upon at the Conferences, that he had been disorderly in asking that question? It was now clear, that he was not out of order. He had asked whether the king of Holland had been apprised of these eighteen Articles, and had acceded to them, before the departure of Prince Leopold for Belgium? He had wished to know whether this Protocol had been communicated to the king of Holland by the Baron Wessenberg, on occasion of his most extraordinary mission to that Power. He had wished to know whether the king of Holland was apprised of the changes that were to be made with respect to the fortresses, the erection and maintenance of which had been solemnly settled by the Treaties of 1814-15? He called upon the noble Earl, then, to state to their Lordships whether the Protocol of the 17th of April, relative to the fortresses, had been communicated to Holland—had it been communicated to the Belgic Commissioners, or had it ever been communicated to those whom it most concerned,

until the information had been forced from his Majesty's Ministers by the disclosure made in the Speech of the King of the French, that the fortresses which had been constructed to menace France, were to be demolished? His Majesty's Ministers had communicated the Protocol to the king of the French, who had nothing to do with the matter, and yet he was the first to promulgate to France and to Europe, as a great and mighty feat, accomplished by the French government, that these fortresses were to be demolished, and the great object contemplated in erecting them, defeated at one blow. He hoped, that it was not intended now to transfer to France that power in the Tagus and the Scheldt, that influence with Portugal and Holland, which had formerly belonged to the British Government. He hoped, it was not now intended to transfer our ancient alliance with these Powers to France, with its present impotent and unstable government, which could not reasonably be expected to last long. He thought his Majesty's Ministers ought to be called upon speedily to produce the whole of the papers relative to these negotiations, and that a time should be fixed for the discussion of the subject, especially after the publication of the manifesto of our most honourable, honest, faithful and ancient ally, the king of Holland, who complained of breaches of faith, and of a want of common honesty in others. He wished to know, whether the Ministers proposed to produce more of these papers, and the day when they intended to bring the whole subject under discussion; and he repeated, that he wished particularly to know, whether the Protocol of April 17th, had been communicated to the king of Holland, on occasion of the mission of the Baron Wessenberg to his Majesty?

Earl Grey: Of all the questions of the noble Marquis, the only one which I feel myself at liberty to answer, is the first. The noble Marquis has asked me whether it is my intention immediately to lay any more papers, relative to the Belgic negotiations, on the Table? My answer is, that I know of no commands from his Majesty to lay any more papers on that subject on the Table at present; and I will say nothing more on the matter until the proper time comes, unless the noble Marquis, or some other of your Lordships, should think proper to make a motion on the subject.

The Marquis of Londonderry: The noble Earl seems to think it very dignified and statesmanlike, thus coolly to decline answering my questions. I have put questions home to him on points of the highest importance, and I call upon him to answer them if he can.

QUEEN'S DOWER.] Earl Grey, according to notice, moved the second reading of the Bill for making a provision for her Majesty the Queen, suited to her Royal dignity, in case of her surviving his Majesty. This provision had been framed on the model of that which had been made for the late Queen Charlotte, after the demise of his Majesty. Somerset House had at first been selected for the residence of Queen Charlotte, which mansion had been afterwards changed for Buckingham House. For the residence of her present Majesty, Marlborough House had been selected in town, and Bushy Park in the country. He was not aware that there was any objection in any quarter to the Bill. It had been passed unanimously by the other House, and he hoped, that the same feeling which had prevailed there, would be evinced towards her Majesty here. He was sure that their Lordships would feel the same gratitude to her Majesty for her most excellent and exemplary conduct, and would manifest the same acknowledgment of her virtues and many amiable qualities, and the same disposition to provide, on a liberal scale, for her accommodation and comfort, as had been displayed by the House of Commons; and that on this subject both Parliament and nation would be unanimous. Bill read a second time.

TRUCK SYSTEM.] The House, on the Motion of Lord Wharnccliffe, resolved itself into a Committee on the Bill prohibiting payment of Labourers' Wages in Goods.

Lord Wynford expressed a decided opinion, that the Bill would not attain the objects which the noble Mover had in view. The truck-system had gone on for years, was going on at the present moment, and was likely to continue for years to come—unless, indeed, recourse was had to some stronger measure, inflicting heavier penalties than the present Bill. He would recommend, that the subject should be referred to a Select Committee, which might devise such a measure. Though labourers might be paid in money, there would still

remain a tacit understanding that the money should be spent in the shop of the manufacturer, or in that in which he was interested. The chief objection he had to the present Bill was, that it went to repeal the 19th of George the 3rd, without introducing any other provision in its stead. That bill, which was intended to protect the lace-manufacturers, was much stronger than the present measure; that class, above all others, stood, he believed, the most in need of protection. The poor lace-manufacturers had been actually ground into dust before the bill passed. There was also another branch of manufacture, in which a large proportion of the poor, in a very extensive district of England—he meant the making of shirt-buttons, which was protected by the Act of George 3rd, and which would be left without protection by this Bill. The persons employed in that manufacture were not the servants of manufacturers, and therefore could not claim the protection of the Bill, though no people stood more in need of it. As to the other clauses of the Bill, he had no objection to them; but of this he felt assured, that let the House enact what penalties they might, the master manufacturers would still continue to evade them. He concluded by moving, that those words in the Bill which went to repeal the 19th of George 3rd, be omitted.

Lord *Wharncliffe* did not mean to repeal the 19th of George 3rd without substituting an equal protection for it, and if the noble Lord thought that any words should be added to that part of the Bill which went to provide that protection, he should be willing to insert them. He could not, however, agree to omitting the repeal of that Act, because he wished to make the Bill general, and the law uniform. He admitted, that the Bill was not perfect in all its parts, nor fully sufficient to accomplish the object which they had in view; but this he believed would be acknowledged on all hands, that it was the only real attempt to put a stop to the system, of the mischiefs of which every noble Lord, who had from time to time spoken on the subject, loudly complained. There was no legislative enactment which could prevent manufacturers from keeping a shop, or being directly interested in a shop; but this, at least, he was enabled to say, that his Bill went as far as legislation could go, by enacting, that no master keeping a shop, or directly interested in

one, could recover debts from any of their workmen.

Lord *Wynford* only wished to protect the thread-lace makers, and if that were accomplished, he had no objection to the Bill.

The House resumed.

The Payment of Wages in Money Bill, also went through a Committee.

HOUSE OF COMMONS,

Thursday, July 28, 1831.

MINUTES.] Bills brought in. By Mr. FRANCIS BARING, for transferring the Duties of the Receivers-General of the Land Tax to Inspectors of Taxes.

Returns ordered. On the Motion of Mr. SPRING RICE, of Masters in Chancery, appointed from 1st January, 1815, to 1st January, 1820, with their ages at the time of their appointments; and similar Returns since 1820; of the number of Reports sent out from the Offices of each Master since 1st January, 1831, distinguishing the changes in the Office during the period, and the date of each change; of the Masters who had retired since 1815, with the period of their Services, and the dates of their Retirements respectively.

DUBLIN ELECTION.] A ballot took place on the petition, questioning the Dublin Election, to form a Committee to try the merits of that petition, but on the corrected list being brought into the House, it appeared that Mr. White, one of the names contained therein, was not eligible, he having voted at the election in question, which according to the Act of Parliament, disqualified him from being a member of the Committee.

On the suggestion of the Speaker, who stated that this was a case of difficulty for which there was no precedent, it was agreed that there should, in consequence, be a fresh Ballot on the Dublin Election Petition on the following day.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—ELEVENTH DAY.] Lord John Russell moved the Order of the Day for the House to go into a Committee on the Reform (England) Bill.

Lord *Belgrave* presented a petition from Congleton, praying for Representatives.—Referred to the Committee.

Mr. *W. Williams* presented a petition from Dorchester, praying not to be disfranchised.—Referred to the Committee.

The House resolved itself into a Committee, Mr. Bernal in the Chair.

The question put was, that “Clitheroe stand part of schedule B.”

Mr. *Lester* stated, that the borough of

Clitheroe was only the chapelry of the parish of Whalley, which was of great extent, and contained a population of 84,000 persons. Clitheroe stood in a township of that name, and was divided into three portions, that of Clitheroe contained in 1821, 3,216 persons; the township of Chitburn, 516 persons and the other township, 300, so that in point of fact, the borough contained upwards of 4,000 souls. In 1831, Clitheroe, however, had a population, by the returns, of 5,203 inhabitants, having increased very much in the last ten years; and there was also an addition of 297 houses. It was, therefore, a thriving place, and ought not to be placed in schedule B. He admitted that the number of 107. houses was not great; he believed not above 100, but they might find a constituency in the neighbourhood amounting to 20,000 people. After making these observations, he would leave the House to act by the borough as it thought proper.

Mr. Croker reminded Ministers, that although he had been an opponent of the Bill, he had never, since the second reading, mooted any point whatever which did not arise out of the very principles on which the Bill professed to be founded. The noble Lord had at first stated, that where the population of a borough and parish united exceeded 2,000 in the one instance, and 4,000 in the other, such borough should be exempted from disfranchisement—in the first case, one Member was to be returned; in the latter, two. On that principle the borough now under consideration should be merged in the parish, and should return two Members; but the noble Lord, it appeared, on account of the extent of the parish connected with this borough, had subsequently shifted his position altogether, and determined, that in cases where the borough and parish were not of the same name, there the inhabitants of the parish should not be included in the borough. That, no doubt, was an after-thought of the noble Lord, who saw or feared, that the full execution of his own principle, would involve his bill in other difficulties. The distinction, however, by which he endeavoured to evade his own rule, had no clear foundation, and could only arise from mistaking *facts* for *accidents*, as had already occurred in the case of Appleby, to which the adjoining parish had not been added. But it happened, that in many cases the popular appellation of

parishes was not that by which they were legally known, and it would be rather too hard because of such an accident, that they should be deprived of the right of an adequate Representation. With respect to Clitheroe, the borough now under consideration, it was situated in the parish of Whalley, which parish covered a great space, containing, what he might venture to call, a bee-hive of industry, and could reckon a population of nearly 84,000 inhabitants. It was said by the noble Lord (Lord John Russell) the other night, that if parishes were to be united to boroughs not of the same name, the Government could never proceed conveniently with their Bill, inasmuch as some parishes were too large and others too small to be added to particular boroughs, as in the cases of Downton and others. Upon this mistaken principle, or rather upon this violation of principle, Clitheroe was only to have one Member, because the parish of Whalley was too large to be associated with it; but it should be recollected, that Clitheroe had a population of 3,200 inhabitants, and that the parish of Whalley, in which it was situated, extended not more than seven or eight miles, and, as he had just now said, contained a large population. The noble Lord had two principles in view; the first was, to unite a parish to a town to justify their having two Members; and the second was, to grant one Member for every 10,000 inhabitants. Now, whether the noble Lord adopted the one principle or the other, Clitheroe, and the neighbouring town of Burnley, which had above 10,000 inhabitants, both being situated in the parish of Whalley, should have two Members; and he did not care much whether the towns had one Member each, or two were returned for the parish and the borough of Clitheroe. He was totally unconnected with the one or the other, and therefore he was stating fairly his objections to the provisions of the noble Lord's Bill. He (Mr. Croker) asked, if Clitheroe was not to be placed in the situation he had stated, why Northallerton had been more favoured? He was not now advocating the continuance of rotten boroughs, but dealing in a fair spirit with the true principle of the Bill. If Bolton, with 44,000 inhabitants, was to have a Member, why not permit Whalley, with 84,000 inhabitants, also to have Members? He would admit, for he did not want to entrap the noble Lord into the admission of

a principle without stating the whole length to which he proposed to carry it, that this case of Clitheroe, if decided as he contended it ought to be, would involve the case of three other boroughs—Cockermouth, Helston, and Lymington; but it would not go to more than to those three. Now what were the cases of those boroughs? Cockermouth contained a population of 3,790, not a great number below that required to send a Member to Parliament under this Bill; but the parish of Brigham—a corruption probably of the ancient name of St. Bridget, to whom the parish church of Cockermouth was dedicated, and which was, therefore, the legal name of the whole parish—contained 6,037. On the noble Lord's own showing, he could not see the ground why this case should be excepted from the rule. The next was the borough of Helston, with a population of 2,671; but this borough was in the parish of Wendron, containing a population of 6,814. The third was the borough of Lymington, with a population of 3,164, which was situated in the parish of St. Mary, Boldec, with a population of 5,384. Now if these parishes bore the same names as the boroughs, there could be no doubt that they would be included, and each of these places would be allowed to return two Members; but why should the name make the difference? Particularly, as it was only the popular appellation that differed; while the *legal* name of the parish St. Mary's or St. Bridget's, was properly applicable to the town and the adjoining district. The three boroughs that he had named involved the principle for which he contended in the case of Clitheroe, and here he thought he had the noble Lord in a sort of dilemma. If the parish of Whalley was too large to have the franchise extended to it, the parish in which Lymington was, was not too large. If Lymington was too small, the same objection did not apply to Whalley. Whichever way the noble Lord viewed it, he thought the noble Lord's proceedings involved an inconsistency, unless the principle for which he contended was adopted. The course which he proposed would do good to the Bill; it would justify the cases of Calne, of Malton, of Knaresborough. If they adopted this principle, which had been extended to twenty other boroughs bearing the name of the parishes in which they were by accident placed, and not by law, he would not object to the

other boroughs being in schedule B. His only objection would then be to the general principle of the clause, and his opposition to the details should cease [*cheers.*] He did not know whether the cheers were meant to imply, that the noble Lord did not need his support. He knew very well, that with such a majority, determined to support the Bill in the lump, without regard to the justice or injustice of particular cases, the noble Lord might not set much value on his individual support; but though it was little for the noble Lord to receive, it was much for him (Mr. Croker) to give—it was his little all, and his poverty ought rather to excite the pity than the sneers of hon. Gentlemen on the other side. Though he should take the liberty of adding, that, humbly as himself, as well as others might think of his efforts in this cause, he believed the Bill would not be the less acceptable to the country at large, if it could be purged of the partialities and anomalies which had been the chief grounds of his opposition. In that point of view, his vote was, perhaps, of some value. He would therefore ask, whether it would not be better even to divide this parish of Whalley, and to give Members to each half, than to establish a principle which would create heart-burnings and discontent in three corners of England—in Cockermouth in the north—Helston in the west—and Lymington in the south? He would again say, let the noble Lord adhere to the original principle of his Bill, let him only execute his own purpose. Indeed, the necessity for the course he pointed out was so obvious, that he could not believe the noble Lord would refuse to adopt it, until he heard from himself that he was obstinately determined to oppose that which must be so beneficial to the principle of his Bill.

Lord John Russell had a very short reply to make to the right hon. Gentleman's arguments with respect to the borough of Clitheroe, and those other boroughs with which he had in principle connected it. He had never admitted, that in all cases the fact of the borough standing in one parish instead of two would be sufficient to justify a departure from the rule of disfranchisement; and he now repeated the declaration, that the Government did not consider it so. In the case of those boroughs which stood in parishes of the same name as the boroughs, and

which were so distinguished in the returns which they took for their guide, that the amount of the inhabitants could be readily ascertained, they had thought it right in many instances to allow the borough and the parish to be united for the purposes of Representation. In the case of boroughs, however, which, although situated in one parish, were yet in a parish of very considerable extent, bearing a name different from the boroughs, they had thought it necessary to adhere to their rule; and the more so, as the boroughs had, in these instances, precise and well-defined limits, which could be readily ascertained from the returns. It should be recollected, too, that the line of disfranchisement was fixed at the possession of less than 4,000 inhabitants, and the course recommended by the right hon. Gentleman, would merely carry the exceptions which had hitherto been made, still farther, instead of confirming the rule which it was the desire of the Ministers to maintain. With regard to the borough of Helston, he understood that it had nothing to do with the parish in which it was situated; and with respect to Lymington, although the right hon. Gentleman had not mentioned the circumstance, a meeting had been lately held there, for the purpose of petitioning the House, that Lymington might retain its two Members, but so unwilling were the inhabitants to interfere with the Bill that the proposition, was negatived by ten to one. The principle of extending to a large parish the franchise of a borough which occupied only a small part of it, was the exception to the rule which the Ministers had laid down, and he did not see why it should be extended in the cases mentioned.

Mr. Croker thought it unnecessary to say more in reply to the observations of the noble Lord, than that he had not used a single argument which did not strengthen what he (Mr. Croker) had said with respect to the propriety of giving the franchise to the inhabitants of Whalley, or which formed any answer to the other point, that the noble Lord had extended the franchise, in the case of Northallerton, to the distance of sixteen miles from the borough, for the purpose of gaining 100 above 4,000, while he would not consent to extend the franchise twelve miles in the case of Clitheroe, for the sake of gaining 84,000 persons; and yet this was

called a Bill to destroy insignificant boroughs, and to extend the representation of large and populous districts. The final result would be, that when the Bill came to be understood, it would be popular exactly in the proportion of the favours it conferred; it might please the 4,100 parishioners of Northallerton, while the 84,000 inhabitants of Whalley would see in it nothing but exclusion and injustice; and the same would be its effect throughout the whole empire.

Mr. J. L. Knight said, that as he understood the decision of the Gentlemen opposite, it was this:—that if the parish in which the borough of Clitheroe stood had also borne the name of Clitheroe, its rights would not have been invaded by the Bill; but that as, by an ecclesiastical accident, the borough of Clitheroe stood in a parish bearing another name, *ergo* it was only to send one Member to Parliament. That, as he understood it, was the precise reasoning of the hon., right hon., and noble Members opposite. If that was not their objection to the proposition for leaving Clitheroe in possession of its two Members, he had heard none. Upon other cases, the opponents of the Bill had been met by a statement that a borough was surrounded by an agricultural district, and that, to make up the required numbers, it would be necessary to take in a large agricultural population: so that the landed interest was so much at a discount in the House of Commons—the agricultural classes were so open to bribery, so little independent, so much less worthy of consideration and trust than the 10*l.* householders, that, to use the language of the noble author of the Bill, a borough so preserved would be swamped in the surrounding constituency. Now, this could not be said of the borough of Clitheroe, which stood in the midst of a population exclusively manufacturing, as the House well knew. This, therefore, could not be the reason why Clitheroe should be partially disfranchised. Was it that in the enfranchising portion of the Bill any new representative town was to be called into existence, by which this extensive and populous district was to be represented? He looked in vain to find any such arrangement in the Bill. What, then, was the ground upon which this borough was to be deprived of its rights, and that, too, in violation of the very rules which the Bill professed to recognize? It was

because the name of the parish happened to be Whalley, and for no other reason. These were the grounds upon which the statesmen and legislators opposite commanded the House of Commons to abolish the Constitution of the land. But it happened that they had not even this ground to stand upon. He was informed, that in the parish of Whalley there stood a chapelry bearing the name of Clitheroe, so that the parish had the name of Clitheroe connected with it. In that chapelry stood the church, which was the mother church of the three townships in the parish of Whalley, and in those three townships there was a population of 4,032 persons in 1821.

Mr. Stanley : what is your authority ?

Mr. Knight said, that he had stated the fact, and defied any man to refute it. He should give no farther information upon such a demand. [*Order, order.*] If in any thing he offended the order of the House, he apprehended there were legitimate means of correcting him, without having recourse to the disorderly conduct displayed on the other side. He would now repeat, that in these townships which constituted the chapelry of Clitheroe, and in which the common church of the parish stood, there was a population of above 4,000 persons in 1821. This he asserted as a fact; and if it was material to the decision of the Committee upon the question before it, they had the means of ascertaining whether it were so or not; if that or any other evidence was to be considered immaterial, he of course could not argue a question, when the facts on which arguments could alone be founded, were scornfully rejected. He would repeat, that if they followed the principle which, in other cases, they had been commanded to adopt, and took in the parish with the borough, they would then have a large, and otherwise unrepresented, population, and which was not an agricultural population—which had not that unhappy slur upon it. But if they rejected that, he called upon them to take the townships in the chapelry of Clitheroe, which would give them the cabalistic name, and in which they would find the constituency required by the Bill. If both those claims were refused, he did respectfully call upon the Government to state to him, as a Member of the House of Commons, why they adopted that course.

Mr. Stanley regretted, that the hon. and

learned Gentleman had shown such want of temper. The hon. and learned Gentleman had not long been a Member of that House; and when he was more acquainted with it, he would be aware, that it was not a departure from the courtesy due from one Member to another, to ask, on a nice point of a disputed fact, on what authority a statement referring to that fact, rested. It certainly was not in accordance with the courtesy of that House that the hon. and learned Member, when asked a question, should draw himself up, and putting himself in a posture, with folded arms, should say, “ You have your population returns, but I have my assertion; and if you ask me on what authority it rests, all I shall tell you is, that I will not tell, and you may go where you can to find it.” As he had not the hon. and learned Member’s authority for the statement, all he should say of it was, that it would be much better to rely upon the population returns, which gave no such account as the hon. and learned Member had stated. The right hon. Gentleman said, that the parish of Whalley was a large district, including several townships, and containing a population of 84,000 inhabitants, and, therefore, he said, “ Extend the franchise of the borough to the whole parish;” but the learned Gentleman (*Mr. Knight*), on the contrary, confined himself to the assertion, that the part of the parish called by the same name as the borough had a population of upwards of 4,000, and asked for the franchise to be continued on that account. He had, by the returns, found no such account of inhabitants. Clitheroe was, in fact, a separate district, which had been formerly under the rule of the Abbey of Whalley; and as it was stated in the returns to have a population under that which the House had decided should be the rule for the return of two Members, he must be excused if he declined to take the statement of the hon. and learned Member, however respectable his individual authority might be.

Sir C. Wetherell said, the right hon. Gentleman had told them, that he had put his hon. and learned friend out of temper. He admitted, that for a man to be put out of temper was a bad thing; but there was another thing which was worse than for a man to be put out of temper, and that was, to be put out of his argument; and he would venture to say, that the right hon. Secretary for Ireland had not put his hon. and

learned friend out of his argument, for he had thought it convenient to leave it untouched exactly where he found it. He must be permitted to say, however, that when the right hon. Secretary for Ireland took upon him to lecture his hon. and learned friend on the tone he had assumed, and upon the courtesy usually practised in that House, recollecting, as he did, that this was the second occasion upon which his hon. and learned friend had addressed the House since he became a Member of it, he must be permitted to say, that when the right hon. Gentleman inculcated the practice of courtesy, he at least was not teaching it by example. He had paid the utmost attention, early and late, to every thing which had fallen from his Majesty's Ministers, in their attempts to make out a principle or rule upon which they were proceeding; and if he had succeeded in making out any thing at all from their statements, it was, that the ecclesiastical boundaries of a parish were to be the limits within which alone the rights of a borough should be extended. They had always been told, when the borough was situated in two parishes, that the union of the two could not be allowed, that the population must be found in one, and that they would not go beyond the ecclesiastical boundaries of the parish in which part of a borough might stand, and that, if such parish did not give the requisite number of inhabitants, it was too small to be admitted. This having been over and over again decided, the present case was confidently produced; and what was the objection raised? The parish was too large. Why, what an absurdity, what a puerility, was this! When a borough touched upon two parishes, and the sufficient amount of population was not to be found in one, its claim was refused for that reason. And now, when they produced the very case required, and said, that here was a single parish of great extent, he found, that the line which he had, upon a former occasion, justly denominated the curvature of a drunken man—he found this drunken line suddenly reeling the other way, and the parish was now too large. There was, however, another reason given, and it was this—the name of the parish did not agree with that of the borough. Let him ask seriously, whether this was to be taken as one of the principles of the measure? If it was, he must beg to say, that there was not a schoolboy

who would entertain such a proposition as one fit to be reasoned upon. It was too puerile and ridiculous to be entertained for a moment. He should not do justice to the good sense which was supposed peculiarly to belong to the noble Lord who introduced the Bill, if he believed him capable of proposing this as a principle. Why, what nice and delicate ears these Reformers must have, that a place must be disfranchised merely for the sound of its name! A large population was to be curtailed of their rights, because their parish was called Whalley, while it was admitted, that if it had gone under the more euphonous sound of Clitheroe, they would have retained them entire. Why, this was the argument, not of legislators, but of a fiddler; not of legislators, but of a grubbler; not of legislators, but of mountebanks. And not only was it a fiddler's argument, but it was fiddling upon a broken fiddle, for the musical name of Clitheroe was, after all, connected with a sufficient portion of the parish to keep it out of the disfranchising clause, even upon the strictest observation of the rule applied to all other cases. He was going to call upon the Attorney General to say, according to the principles of the law, whether there was any thing in this distinction; but he remembered, that the right hon. Gentleman who had given his hon. and learned friend the lecture, but not the example, on courtesy, and who had not only taken upon himself that office, had also, with regard to this measure, usurped the office of Attorney General for England, and dictated to the House what was the law of the land. He called, however, upon the real Attorney General, whose duty it was, by his oath, to explain and uphold the Law of England—he called upon him to say, whether the distinction attempted to be set up as to the name of this parish, had any resemblance to a distinction according to the principles of law? Until he had heard his hon. and learned friend assert that, he should continue to call the distinction a contemptible puerility. But these Reformers blew hot and cold upon the same question. When two parishes were offered them, they blew cold, and said they could not be admitted, because two were not one, and then, when one was proposed for their acceptance, they blew hot, and would not allow it, because one was not two. He felt these things as an insult to his mind,

and to his powers of reflection; and he was greatly mistaken, if it would not be considered as an insult to the House of Commons and to the people of England, to say, that this refusal of the rights of the borough of Clitheroe, was founded upon a principle. As long as he had the power, he would use every effort of his mind properly to degrade and vilify this most contemptible distinction.

Mr. *Cust* said, that the chapelry of Clitheroe included three townships with the required number of inhabitants, and that it was, to all intents and purposes, a parish. This was evident from the returns on the Table, for there it was distinctly shewn, that in 1821 there were upwards of 4,000 persons in the chapelry.

Mr. *Stanley* said, that the hon. and learned member for Boroughbridge had made a charge against his side of the House, to which he did not think it, at least, exclusively liable. He did not think that they alone were chargeable with using quibbles instead of arguments, or with legislating like mountebanks. And with regard to arguing like fiddlers, the hon. and learned Gentleman certainly, as far as harping upon one string went, might beat Paganini himself. Whether the allusion with respect to the mountebank also applied well to the hon. and learned Member, he should not take it upon him to decide. The hon. and learned Gentleman had described him as performing the office of Attorney General to the King's Cabinet, with respect to this Bill. It was often exceedingly difficult to distinguish the hon. and learned Gentleman's compliments from his censures. Possibly the hon. and learned Gentleman meant to compliment him, but he should very much regret if his conduct with respect to the Reform Bill at all justified the assertion of the hon. and learned Gentleman, that he had usurped the part of the Attorney General on the present occasion. All, however, that he would say, in reply, was, that the hon. and learned Gentleman had himself shown, by the course which he pursued, that the habit of intolerable garrulity—of eternal and inexhaustible trifling and verbosity—of constantly repeating the same things, varied in a thousand forms, and brought forward without intermission, night after night, might still adhere to an Ex-Attorney General, after he had ceased to sit on the Ministerial side of the House. The hon. and learned Member had been

amusing on the present occasion, but, as was always the case with the hon. and learned Gentleman, amusing at considerable length. With respect to the question before the House, he contended that it would be a palpable absurdity to decide that the right of voting for the borough of Clitheroe should extend to the parish containing 84,000 inhabitants. Another hon. Gentleman wished to communicate the franchise only to the parochial chapelry, which was said to contain three townships and 4,000 inhabitants. He would only repeat, that the framers of the Bill founded their measures upon documents which were above all suspicion—namely, the population returns of 1821—and by them they would abide.

Mr. *Croker* said, that on referring to the returns, he found that the population of Clitheroe, within the three townships, contained the requisite number of inhabitants to save the borough from disfranchisement. That argument, though he considered it unanswered, was not his, but the argument of his hon. and learned friend.

Mr. *Cust* said, that the statements which he had made were deduced from the official documents on the Table of the House.

Mr. *Præd* was not surprised at the violent personal attacks of the right hon. Gentleman, when he noticed how he was cheered on by those around him. The right hon. Gentleman, in attacking others, had twice already departed from order, he appearing to have no other guide but his own will and pleasure. The supporters of the measure were bound to preserve consistency of principle and argument throughout it; but it did not follow, that all those who were adverse to it should oppose it on one ground, and the charge of inconsistency against them was unfounded. He contended, that the parochial chapelry of Clitheroe ought to be taken as part of the borough; and, in that case, it would have the requisite population, as the townships contained in 1821 a population sufficient to entitle the borough to retain its two Representatives. That statement rested on official authority, and he must hear some statement more convincing and conclusive than he had yet heard, before he concurred in the motion.

Lord *J. Russell* said, that it appeared by the population returns, that the borough contained no more than 3,213 inhabit-

ants; and he thought it would be absurd to add to the borough certain townships which really had no connexion with it. An hon. and learned Gentleman on the other side of the House had employed harsh words against the members of his Majesty's Government. He had endeavoured, by some sort of quibble or other, to show that certain boroughs ought to have been put in the disfranchising schedules, which it was clear, from the obvious meaning of the rules of the Bill, never could be included. The hon. and learned Gentleman seemed to think, by appealing to the country, that his arguments would be approved of by the people, but that appeal would be attended with a very different effect from what the hon. and learned Gentleman supposed. The country would see through his arguments; the country would see, that the hon. and learned Gentleman's play upon words, and his endeavours to make distinctions where there was really no difference, were merely attempts to gain time. The common sense of the country would distinguish between the conduct of those who were honestly persisting in the Reform measure as it was originally formed, and the course of proceeding adopted by the hon. and learned Gentleman.

Sir C. Wetherell said, that it appeared to him that the hon. Secretary for Ireland had assumed a tone and a station in that House far above what properly belonged to him. He had assumed a vigour beyond himself; but if the hon. Secretary could sustain that station, and if the noble Lord (Lord J. Russell) could find success in dealing out censures on those opposed to him, then let them do so. The hon. Secretary for Ireland had addressed to him (Sir C. Wetherell) rather free-spoken terms. Was the hon. Secretary aware of the terms which he had used towards him (Sir C. Wetherell)? Perhaps the hon. Secretary had forgotten them. ["Question."] He would tell hon. Members who cried out "Question," that he would allow no man to attack him without making a defence. The hon. Secretary for Ireland, he conceived, had exhibited a want of temper in the discussion, and had put him in mind of Mr. Burke's observation, that new power, and in new hands, was apt to be abused. But he begged leave to inform the hon. Secretary, who had lately become one of the Cabinet Ministers, that with his duty as Minister was not combined

censorship over the Members of that House. The House would probably remember, that the first Lord of the Admiralty had, on one occasion, designated a certain well-known Member of that House by the title of *Ajax flagellifer*. And the right hon. Secretary for Ireland appeared now to have taken that office upon himself, but he must tell the right hon. Secretary that the desire to be the *Ajax flagellifer* of the House would not ensure him success, he must also possess the requisite strength and ability. The right hon. Secretary, who had not answered one of the arguments which had been brought forward, might possess a good deal of the disposition of a *flagellifer*, but he did not think that the right hon. Secretary was much of an Ajax. He hoped, therefore, that while the Bill was being discussed, the right hon. *flagellifer* would hang up his whip-cord, and that the noble Lord would restrain his dull censures, for do what they might, they would not prevent him from discharging his duty. The noble Lord (Lord J. Russell) had taunted him with an appeal to the people; but he did not believe that the people would taunt him for performing his duty. He would tell the noble Lord, that he had been applied to repeatedly to follow the course he had done, and that he would appeal to the people with as much confidence as the noble Lord himself. The noble Lord also assumed a vigour beyond his power, when he presumed to tell him that he brought forward cases for the purpose of delay. He called upon the noble Lord to shew what those cases were. He had taken part in cases brought forward by others, but of his own spontaneous motion he had originated none. The noble Lord was a candidate for democratic popularity. He (Sir C. Wetherell) was desirous to close the flood-gates against the democracy and jacobinism which this Bill encouraged.

Sir G. Murray said, that in other places the parish had been added to the borough, and he saw no reason why, in the present case, the chapelry might not be added to Clitheroe. It had the same name as the borough; the rule laid down ought to be applied here, but it was then asked, "can you make up the population by so doing." He was of opinion they could. In one set of papers they had the townships of the chapelry, and from the census they had the population of these townships. The

only answer which had been given was, that the population of the borough itself was under 4,000.

Lord *Althorp* said, that he was unwilling to allude to the discussion which had preceded the observations made by the gallant Officer (Sir G. Murray); but he must state his opinion, that the estimation of the talents of his right hon. friend (Mr. Stanley) would not depend on the fiat of the hon. and learned Gentleman. It did not appear to him that his hon. friend had lost his temper; and as for strong language, he believed that no man made use of stronger language than the hon. and learned Member himself. He really thought that the hon. and learned Member would be the last man to object to strong expressions, if he only recollected the language which he had employed previous to the hon. Secretary for Ireland rising to speak. With respect to the borough of Clitheroe, it was marked in the population returns as containing a certain amount of inhabitants; and he did not think, that the House would consent to add the townships to the borough, in order to make up the requisite number. It would be against the rule hitherto acted upon to include the whole population of the parish of Whalley, merely because the borough was situated in one part of it. Northallerton had been referred to, and though the argument might be good to disfranchise that place, it certainly did not justify the preservation of Clitheroe.

Mr. *Baring* expressed his conviction, that there was no intention on the part of his hon. friends near him to throw any unnecessary obstacle in the way of the Bill. He certainly thought, that the whole of this important subject would be more fully and more fairly discussed, and sooner be brought to a termination, if all personalities were abstained from on both sides. For himself, although he certainly objected to the sweeping principle of the measure, yet, the House having decided on its adoption, he acquiesced, and merely reserved his right to sit judicially for the purpose of determining whether the cases which were brought before the Committee actually came within the operation of the Bill. Now he must say, that he thought a case had been made out for allowing Clitheroe to retain the right of returning two Members to Parliament. He was not for taking in the whole parish; but he was of opinion, that the townships of which

the chapelry of Clitheroe consisted, ought to be included in the estimate of population. It was undeniable, that the three townships formed one parish.

Mr. *Praed* wished to know, for the benefit of the discussion of future cases, on what exact point it was, that the noble author of the Bill grounded his objection to exclude Clitheroe from the operation of the Bill. Did the noble Lord reject the evidence of the population of the three townships? or did he, admitting that evidence, ground his objection on the difference between a church and a chapel?

Lord *John Russell* said, that the proposition to exclude Clitheroe from the operation of the Bill was founded on a principle not before advanced; and that, if it were adopted, it would create an injurious precedent.

Mr. *Praed* complained, that the noble Lord had not answered his question, which he begged leave, therefore, to repeat.

Lord *Althorp* thought the answer of his noble friend perfectly satisfactory. His noble friend had stated, that the principle on which it was proposed to exclude Clitheroe from the operation of the Bill, was a principle which had not yet been acted upon; and that the adoption of it would create a new and injurious precedent.

Sir *C. Wetherell* maintained, that the principles of the friends of the measure involved confusion upon confusion. They opposed taking either the parish in which Clitheroe was situated, or the townships of which the chapelry was composed. If they thought the parish too large, then there were the townships, which were of a more limited extent. But the noble Lord would take neither, but preferred depriving the borough of one of its Members. Let that fact go to the British people, and let them judge of it.

Mr. *Praed* was not satisfied with the answer he had received, for it was an important fact, that the inhabitants of the chapelry paid their poor rates exclusively to the borough.

Lord *Althorp* said, it was not the principle of the Bill to take in part of a parish to make up the required population, and the House must decide whether they were to depart from this in the present instance.

Mr. *J. L. Knight* said, that before the question was put, the Committee would, perhaps, consider him entitled, as a personal attack had been made upon him by a right hon. Gentleman, to make a few observa-

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tions in reply. Great as was his personal respect for the talents and private character of the right hon. Gentleman in question, he could justly add, that the more highly he valued that right hon. Gentleman's talents and character, the more he respected his censure. For he knew well, that the right hon. Gentleman would not have made a personal attack upon him, unless he lacked argument; unless he felt that there was something in his (Mr. Knight's) observations, the legitimate means of answering which were not at hand. The higher, therefore, his respect for the right hon. Gentleman, and for his station, the higher he valued the right hon. Gentleman's talents and private character, the more he valued the right hon. Gentleman's censure. But although he entertained a sincere respect for the right hon. Gentleman's talents and private character, he entertained as sincere a detestation of the principles of the Cabinet to which the right hon. Gentleman belonged. Speaking, therefore, to the right hon. Gentleman in his Ministerial capacity, he would say to him, with reference to the strong remarks in which he had indulged:—

“————— Non me tua fervida terrent
Dicta, ferox: Dii me terrent, et Jupiter hostis.”

The Gods of the right hon. Gentleman and his political friends were the Gods of the Gallery, and of these he was afraid.

The question agreed to, and Clitheroe was ordered to stand part of the clause.

The next question was, “that the borough of Cockermouth stand part of schedule B.”

Sir *James Scarlett* said, there were circumstances in the case of Cockermouth which ought to exempt that borough from disfranchisement. He said this looking at the rule as laid down by the noble Lord, and without reference at all to the propriety or the impropriety of that rule. By the population returns of 1821 it appeared that in the borough of Cockermouth itself there was a population of 3,790; and, that in the parish in which the borough was situated, there was a population of 6,037. It appeared, also, that the number of 10l. houses exceeded the number required by the rule of his noble friend. Thus, then, the borough of Cockermouth was clearly entitled to return two Members under the rules of the noble Lord; and in confirmation of this he would refer to the manner in which some other boroughs had been

treated. Leominster had been taken out of schedule B, and was to be allowed to send two Members to that House. By the returns of 1821 it appeared that the population of the borough of Leominster was 3,611, and that of the whole parish 4,646; therefore Cockermouth had the advantage over Leominster. According to the same returns, the population of the borough of Morpeth, which had been taken out of schedule B, was 3,415, and that of the whole parish 4,292. Again, Cockermouth had the advantage as compared with Morpeth. Northallerton had also originally stood in schedule B, but it did not now appear there. In 1821 the population of the borough of Northallerton, by the returns, was 3,326, and that of the whole parish 4,431. In this case then, as well as in those of Morpeth and of Leominster, Cockermouth had a considerable majority of inhabitants. Westbury was another borough which had been taken out of schedule B, and was to have the full complement of Members. What was the population of Westbury? By the returns of 1821 the population of the borough was 3,117, and that of the whole parish 5,846. From these returns, then, it would appear, that Cockermouth had a decided advantage in population over Morpeth, Leominster, Northallerton, and Westbury; and it would also be found to have as great an advantage in point of the number of 10l. houses it contained, as compared with the number of 10l. houses in those different places. If the question, then, at issue was simply as to which of these boroughs had the best claim to return two Members to that House, adopting the rules laid down by his noble friend, there could be no manner of doubt as to which would have the priority. In the estimation of every rational man, Cockermouth would be considered to have a better claim than any of the other boroughs he had referred to. But there was a distinction in the cases, and that distinction he understood to be this—the parishes in which Leominster, Westbury, Morpeth, and Northallerton were situated, bore the same names as the boroughs did, whereas the parish in which Cockermouth was situated was called Brigham. That was the only point, as far as he knew, that could be urged against the borough of Cockermouth. His noble friend might say, that the comparisons he had made might furnish very good arguments for

placing the fortunate boroughs referred to in schedule B, but they were of no value as used for the removal of Cockermouth from that schedule. Cockermouth had a population of less than 4,000 persons in 1821, and therefore it fell within the general rule laid down. True, it did so; and if that rule had been invariably acted upon, if all boroughs falling within it had met with one common fate, there would have been no ground except for a general and common objection; but if that rule had been departed from, and exceptions had been made, then each borough had a right to look to the principle upon which those exceptions had been justified by the framers of the Bill. If the measure was to be at all in accordance with reason or common sense, this was evidently the course that ought to be followed. He had understood that, in order to avoid any charge of partiality or undue favour, his noble friend had determined on adhering to the population returns of 1821, and if in those returns the population of any borough was mixed up and blended with the population of the parish, such borough was to have the benefit of such return. In consequence of this arrangement it was, that Calne was to continue to send two Members to that House. Now he begged to say, that the population returns of 1821, as applying to Leominster, Morpeth, Northallerton, and Westbury, did in every instance distinguish the population of the borough from the population of the parish. It could not, therefore, be upon the ground that the population of the parish was returned distinct from the population of the borough that Cockermouth was placed in schedule B. That clearly could not be the reason, for if it were, then Leominster, Morpeth, Northallerton, and Westbury must be placed also in schedule B. No, the ground must have been, that the parish and the borough, the acknowledged capital of the parish, had different names; Cockermouth was the name of the borough, and Brigham the name of the parish. Now he did not wish to use hard words or to call hard names, but really there was something so extraordinarily absurd in this distinction that he scarcely knew how to speak of it. One rule laid down by the House was, that a borough, including the parish, to be entitled to return two Members to that House, should have a population of 4,000 persons, and that population he had shewn Cockermouth to have.

Another rule laid down by the House was, that a borough, to be entitled to return two Members, should contain above 300 10l. houses. That rule the borough of Cockermouth complied with; it had above 300 10l. houses. And in the third place, the parish and borough of Cockermouth were in a thriving condition. In Cockermouth there were no signs of decay; but, on the contrary, the population at the present moment was above 5,000. If, then, the franchise was to be given to things, and not to names, Cockermouth had a better claim to it than Leominster, Morpeth, Northallerton, and Westbury. This was the fact, and he was at a loss to understand how such a proceeding could be defended. Sure he was, that reason would be but of little assistance to the advocates of this Bill; and really it appeared to him, that when this measure came to be considered in days more propitious to reason than these dog-days were, the condemnation of the Bill would be unequivocal. Upon the propriety of the rule laid down he would not then say any thing, however badly he might think of it. At that moment it was the duty of the Committee to endeavour to make the details of the Bill consistent with the rule adopted. He had done his duty; he had laid the facts of the case before the Committee; and although from what had passed he had little expectation that they would be much attended to, that was not a consideration which would have justified him in withholding them.

Lord *John Russell* said, the case of Cockermouth was the counterpart of that which had just gone before it. Ministers decided against the borough, upon the principle of a defective population. The parish of Brigham, in which the borough was situated, was a distinct community. The borough contained a population of only 3,790 persons, and, of course, was not exempted from a place in schedule B.

Sir *C. Wetherell* contended, that the portion of the parish in which the borough stood was, in fact, united with the other portion which Ministers excluded, although the two divisions of what he argued to be one parish went by different names. He thought, accordingly, that Ministers ought to show the same favour to Cockermouth which had been voluntarily extended to other boroughs. The returns were not made with any knowledge of the uses they were to be put to, and probably

the exact population of the various boroughs was not correctly given. It was hard, therefore, that they should take such returns as their guide. If it were shown, that taxes and population had increased since 1821, it was treated as of no importance in the arbitrary distinctions laid down, and which were as arbitrarily broken through by the framers of the Bill. This was one case which although it went for nothing in that House, would tell for something elsewhere.

Mr. *Lowther* said, after the decisions which had been come to in the cases of other boroughs, it was of no use to speak for Cockermouth.

Mr. *Herries* thought, that the hon. Gentleman was mistaken in supposing that the case of Cockermouth was to be decided on the same grounds as Clitheroe. In the latter case it was urged in reply to the proposition of throwing the borough open to the parish, that it contained a very large and peculiar population, and on that account Clitheroe was continued in schedule B. It was not until after repeated inquiries that it was understood, that when boroughs and parishes bore the same name, the population of both would be taken as one. In the case of Clitheroe it was asserted, that if the chapelry were admitted they must also admit two or three other townships. This was an additional reason for including Clitheroe in schedule B. The present question was altogether different, for Cockermouth had not the same name as the parish in which it stood. This was the first case to be decided on that principle. No arguments had been used, or reasons given, why the borough of Cockermouth had not as good a right to continue to return two Representatives as Buckingham, the claim of which had been allowed, but the mere dictation and arbitrary will of those who had admitted boroughs where their names, and those of the parish where they were situated, were the same. He should, therefore, in principle, vote that Cockermouth be excluded from schedule B.

Mr. *Baring* said, the country might be desirous and anxious for Reform, but it was impossible the country could wish injustice to be committed. Cockermouth was part of the parish of Brigham, and they were one and the same parish. There was a part of Westminster called the Savoy, but for all purposes of population and jurisdiction it was included in Westminster. The distinction, therefore, made in this

case was unjust. Cockermouth was a thriving place; by the present census, it had 5,000 inhabitants, although it contained less than 4,000 in 1821. To leave Cockermouth in schedule B, would be acting partially. The case was, in fact, more strong than that of Saltash, for which Ministers had voted the other evening; and in all respects similar to that of Horsham.

Lord *Althorp* contended, that strict justice had been done, and denied the similarity. For Cockermouth was a separate vicarage, and had a separate church. The parish church of Brigham was four miles from Cockermouth. They had separate rates and assessments for the divisions. Brigham parish was extensive, and divided into four townships, one of which was called Cockermouth, and was recognized as the borough. The case was altogether different from Saltash, where there was only one church and parish.

Mr. *Croker* could shew, that the noble Lord was mistaken, for the population returns united Cockermouth and Brigham in the same way, and by the same words, that other parishes had been specified which had been allowed to have the advantage of the parish population. The return was thus made "the borough of Cockermouth contains 3,790 inhabitants, but the whole parish of Brigham contains 6,700." The case was precisely similar to that of Horsham, for in a note to that parish it was said, it was divided into three parts, one being the borough, the other two out-parts, and because the whole parish contained 5,000 inhabitants, it was to return two Members. The noble Lord might easily draw a line where others could make no distinction, but it appeared to him, that the two cases were precisely similar. As the parish of Brigham, in which Cockermouth stood, would alone furnish a sufficient population, he must ask, whether a distinction was to be made between Cockermouth and Calne, because the parish had a different name, or whether they were both to be treated alike, since the returns from both were made in a precisely similar manner?

Mr. *Blamire* said, the parish of Brigham was very large, and contained thirteen townships, of which Cockermouth was one. It included four parochial chapelries, of which Cockermouth also was one. It was said, the town contained 4,000 inhabitants, but the returns only gave 3,790. The

limits of the borough were well defined and understood, and however anxious the inhabitants might be for its removal from this schedule, they did not pretend that, its limits were co-extensive with the townships. He therefore thought Cockermouth could make no claim to exception from schedule B. He must, at the same time, bear witness to the respectability of the constituency that would be there created under the operation of the Reform Bill. He knew no place more deserving of two Members, if respectability and independence were to decide the question; but he thought Ministers were bound to adhere to the principle they had laid down.

Mr. *Baring* said, from the statements he had heard, he thought it but fair to state, that the case of the borough, as he had conceived it was much weakened.

Mr. *Croker* begged to inform the hon. member for Cumberland, that all he had said bore precisely on the case of Horsham, which was divided into three parts, one of which only comprised the borough. He, therefore, was in favour of Cockermouth retaining its two Representatives, as under the same circumstances, Horsham had been allowed to retain its two.

Mr. *Attwood* considered the statements of the hon. member for Cumberland to be in favour of the borough. They could not consider this case without reference to other places similarly circumstanced. Morpeth had been removed from schedule B, without any discussion, at the sole dictation of Government. That borough had only about 3,200 inhabitants by the returns of 1821, while Cockermouth had 3,790, and was then and now a more important place than Morpeth. In going into the evidence, it was found, that Morpeth was the name of the parish, and it had several townships, and including some of these, they continued the franchise to the borough. Brigham was a parish much larger and more important than Morpeth, and yet because the borough situated within it was called Cockermouth, it was to be partially disfranchised. The distinction was only in the name, and was most absurd. A similar absurdity, or a similar partiality, existed in taking the population returns of the two parishes. They had taken townships not at all connected with the borough of Morpeth, and yet, after that proceeding, the population of Morpeth amounted to only 4,290 persons.

Lord *Althorpe* said, the hon. Member

was mistaken, and had been proved so the other night, as to the manner in which the population of Morpeth had been made up. The population bordering upon the town was 4,292, and all contained in the same parish. If the distant townships had been included, the population of Morpeth would have amounted to 5,280.

Mr. *Cutlar Ferguson* said, it appeared to him that the real question before the Committee was, what ought to be done with Cockermouth. It was perfectly immaterial how Horsham or Morpeth had been disposed of. The ground on which he should vote was the population of the borough, for there the constituency must be found. Schedule B was not closed, and if any motion was made to insert any other boroughs therein, he should be ready to examine that question on its own merits.

Sir *Robert Peel* said, he should certainly spare the time of the Committee, as he thought it unnecessary to trouble them after what had occurred last night in the case of Chippenham, when it was proved to the satisfaction of every man in the House—[“*No, no!*”] He felt it rather extraordinary that he should be interrupted in the middle of a sentence, when it could not be known to hon. Members what he had to say. What he intended to have said was, that it was proved to the satisfaction of every Member of that House, that no dependence could be placed on the returns of 1821. It was proved with regard to one point, that 106 houses of that place had been left out of the returns, and yet the Committee had refused to hear any evidence as to how that error had arisen. His determination was taken, not to trouble the Committee with any details concerning schedule B, for he now despaired, whatever case should be made out, of the Committee, doing any thing but condemning all the boroughs in the schedule.

Mr. *Hunt* objected altogether to this schedule; the whole of the boroughs in it he thought ought to be disfranchised. It was a well-known fact, that perjury was so commonly practised in the small boroughs, that witnesses were frequently selected from such places in order to give false evidence at Sessions and Assizes.

Mr. *Baring* believed, that greater and more extensive perjury was committed, in proportion as places had large bodies of constituents. That was proved in the case of Liverpool. He had been surprised at the language of the hon. member for Kirk-

cudbright, who had declared, that similar cases were not to be judged of on the same principles, and that the House was not to be guided by precedents.

Mr. *Cutlar Ferguson* had mentioned Horsham and Morpeth, because they had not been brought before the House, but had been decided by Ministers, and it was a waste of time, therefore, for hon. Gentlemen to allude to them,

Mr. *Baring* recommended the Committee to abide by the advice of the hon. Gentleman, and not attend to the decision of Ministers.

Mr. *Hunt* said, as Liverpool had been alluded to, he would maintain that it would be a gross robbery to disfranchise these places, and allow Liverpool to continue to return Members.

The Committee divided. For the Motion 233; Against it 151—Majority 82.

The next question was, "that Dorchester stand part of schedule B."

Lord *Ashley* said, that before the question was put, he wished to state a few facts, after which he should leave the question in the hands of the Committee. He should wish to know on what principle the noble Lord proceeded, whether on that of property, or population? If he proceeded on that of population alone, then it must be admitted, that Dorchester was not entitled to be excepted. It had, it was true, only a population of about 2,743, but it had 500 voters. Moreover, it was entitled to some consideration as it was a county-town; and, besides this, though its population was small, it was of a very thriving kind. As a proof of this, he might mention, that there were no less than 333 houses of above 10*l.* a year rent in the town. He wished to know, then, on what principle it was, that the noble Lord proposed to put the borough of Dorchester into schedule B? In some instances the noble Lord took population, in others he took property, as the standard. If he were to disfranchise this borough, even partially, as now proposed, he would be excluding the consideration of property, and going solely upon the principle of population, for the borough itself possessed thirty-three above the mystic number of 10*l.* houses required by the noble Lord. Fordington was a part of Dorchester, as much as the parish which had been formerly alluded to was a part of the borough of Woodstock. It was, in fact, impossible to dis-

tinguish between them. If they were allowed to be united, then, both in respect of population and of property, the noble Lord would be bound to let Dorchester retain its two Members, for the two places, taken together, possessed, as it appeared by the returns of 1821, a population of above 4,000. It was true, that Fordington was not within the limits of the borough of Dorchester; but then it was so closely adjoining to it, that, for the purposes of this Bill, they might well be united together. Why might not Fordington be added to Dorchester, as Falmouth had been added to Penryn, and Walmer to Deal? Both these places were at a greater distance from the towns to which they had been united, than was Fordington from the borough of Dorchester. In fact, Fordington was as much part of Dorchester, as Marylebone was part of London. He ought also to mention, with respect to the conduct of the burgesses of Dorchester, that they had never returned a stranger who came among them recommended by his purse alone, but had always returned gentlemen connected with the county by the large possessions they held in it. He was sure that the borough was, in no degree, a nomination borough. There was no one of property in the borough sufficiently predominant to command the return of any Member for the borough. No one could command such an influence; for the principal population of the borough were persons of property, and many of them resided on their own property. The conduct of the constituency of that borough never had been such as to justify the Government in placing it in schedule B. He had been connected with the borough for so many years, that he should not do justice to his feelings if he did not say what he knew in the favour of his constituents. He had spoken to his father on the subject, and his father asserted on his honour, that during two elections, in which there had been a strong opposition, he had never given anything to the inhabitants of the borough for their votes. He himself had sat in two Parliaments as the Representative of that borough, and he was anxious to declare, that he never had been asked for a favour by those who returned him, and he was sorry to say, that he never had had it in his power to confer a favour on any one of his constituents. He felt bound to speak thus of constituents from whom he was

now about to be separated; and he did assure the Committee, that in his conscience he believed the electors of Dorchester to be free from any imputation of corruption. As compared with six other boroughs that were allowed to retain two Members each, the names of which boroughs he would not mention, lest it might appear invidious, Dorchester contained a far greater number of 10*l*. houses than either of them. In fact, Dorchester contained sixty more 10*l*. houses than the highest of those six boroughs. United, therefore, with Fordington, it would afford at once the requisite amount of population, and the requisite number of 10*l*. houses to entitle it still to retain its two Members; and feeling, as he did, proud of the honour which the electors of Dorchester had conferred upon him, and of which he was now to be deprived, he would assert, without fear of contradiction, that it was out of the power of his Majesty's Ministers, or any other set of men, to create a more excellent constituency than that which Dorchester now boasted. As this probably was the last Parliament in which he should sit for that place, he deemed it right to make this statement in favour of his constituents.

Lord *Althorp* said, the noble Lord was the last man in that House to whom he would attribute any corrupt or improper election proceeding. The noble Lord had observed, that he considered himself on this occasion as taking leave of his constituents. He did not, however, think that such was the case, because the noble Lord's character always stood so high, that it would induce any body of constituents with whom he might happen to be connected, still to give him their honest support. The noble Lord admitted that, taking the rule of population, there was no case for Dorchester. "But," observed the noble Lord, "you ought, with respect to this borough, to adopt the mixed principle of population and property, which you have laid down in other instances." What Ministers, however, had stated was, that they would adopt population as the basis upon which Members were to be returned to Parliament, but that, when they found the constituency defective, they would then look to property as an essential point. Deal and Walmer had been attached to Sandwich, and Falmouth to Penryn, upon this very principle, the towns thus joined being large, wealthy,

and populous. That, however, was not the case with reference to Fordington. The noble Lord said, that this was not a nomination borough. That might be so. He knew that some of the boroughs which this Bill would affect were not nomination boroughs; but Ministers hoped, that the alterations now proposed, as they would prevent inconsiderable places from sending Members to Parliament, would effectually put a stop to that system out of which nomination boroughs had grown. Upon these grounds he could not consent to remove Dorchester from schedule B.

Mr. *R. Williams* supported the proposition for taking Dorchester out of schedule B. He had represented that borough for twenty-five years, and he could decidedly say, that it was not a nomination borough. He had been elected by the free votes of the burgesses, although, when he first started as a candidate, he did not own a single house in the town. The electors at present amounted to above 500, and they were free and independent. Under this Bill they would only amount to about 300. If any thing could, therefore, make Dorchester a corrupt borough, this Bill would do it.

Sir *G. Warrender* said, that the borough which he had the honour to represent (Honiton) was the only other place in schedule B that had the number of 10*l*. houses (exceeding 300) which the noble Lord had laid down as the rule. It appeared that Dorchester had 333 10*l*. houses, and 500 electors, while the borough which he represented had 550 resident electors, and upwards of 300 10*l*. houses. So that, in these two instances, there was a sufficient constituency without going elsewhere to look for one. Under the new plan, several boroughs, the names of which he did not wish to mention, would still send two Members to Parliament, though they did not contain so many 10*l*. houses as Dorchester and Honiton. In one of them the number of 10*l*. houses was 227, in another 225, a third 225, a fourth 208, and Sandwich 225. With respect to this last place, it would become, under this Bill, a very snug nomination borough, in the hands of the Admiralty. This he could state positively, on his own knowledge of the borough, which he had represented in two Parliaments. All these boroughs to which he had referred would, in fact, be nothing but nomination boroughs. And most assur-

edly, if he were returned for Honiton in a Reformed Parliament, he would attack those nomination boroughs. A most arbitrary and unjust rule had been adopted by the Government in framing this measure. He did not mean to impute improper motives to them, but certainly the course they pursued would have the effect of creating a great number of nomination boroughs. This schedule would, in his opinion, be the death of the Bill. He admitted, that the majority of the public were with the noble Lord; but when they proceeded to disfranchise 5,000 or 6,000 electors, against whom no complaint was made, and when the result was only to create nomination boroughs, to what conclusion would the country come, when it ultimately began to reason on this subject? He did not impute improper motives to the noble Lord opposite, nor to any other hon. Member, but he must still say, that this Bill would have the effect of transferring the nomination boroughs from one family to another. This was the case particularly with Amersham—and, as far as he could form an opinion, he believed the electors would sooner be disfranchised altogether. There were so many anomalies in schedule B, that he believed it would at last be the death of the Bill. It was well known, that he had not given any factious opposition to Ministers, and even that he had abstained from proposing his intended amendment at an early stage of the Bill, and this he did for the purpose of avoiding all unnecessary delay; but he could not hear of the disfranchisement of Dorchester, which so nearly resembled the case of Honiton, for which he was the sitting Member, without entering his protest against it. He must also object to that plan by which a roving commission was to be sent through the several counties, for the purpose of subdividing them at pleasure. He hoped the noble Lord would reconsider this case, and withdraw Dorchester from the schedule.

Mr. *G. Bankes* said, the House could not very well spare two such intelligent Members as now represented Dorchester. One of them (Mr. Williams), who had been connected with that place for twenty-five years, proved that it was not a nomination borough. He was not the owner of a single house in the town, but he was elected on account of the high character and reputation which he bore in the

county, where he was well known. The Chancellor of the Exchequer had expressed a wish that the noble Lord (Ashley) should be again returned for Dorchester; but surely that noble person could have no reason for desiring that the other Member should be excluded. It appeared to him that Ministers, in the whole of their proceedings, were mending the Constitution with one hand, while they were making holes in it with the other. He did not understand why Sandwich and Penryn were suffered to remain, while places of at least as much importance were wholly or partially disfranchised, except that, in these cases, Ministers were acting on a conservative principle, and sparing certain boroughs to which they or their friends might have access. He was the more especially inclined to believe that this was the case, because the noble Paymaster seemed to have put forth his feelers on this point, when he said, that after the Bill was passed, it would be for the House to consider, if they thought fit, whether any alteration should be made with respect to the manner in which those who had accepted of office should take their seats in that House. Fordington ought to be joined to Dorchester, as Deal and Walmer were coupled with Sandwich, and Falmouth with Penryn. The rights of individuals should not be sacrificed to mere technicalities; and he could see no reason why, in several instances, Ministers had adhered to ecclesiastical divisions in administering civil affairs. When the Attorney General carried them back to the days of purity, to the time of Alfred, he ought to have recollected, that this country then had divisions of hundreds and tithings with respect to civil matters, while the division of parishes related solely to ecclesiastical affairs. Dorchester had been rightly described as the county-town of a flourishing district, and certainly it ought not to be partially disfranchised as it possessed a proper constituency.

Sir *R. Peel* thought, that there were very good reasons for giving to the borough of Dorchester the advantage of its connection with Fordington. The two places were one continuous town. Although Fordington was not in the borough, yet it constituted a part of the town; and according to the principle by which Ministers had been guided, there appeared good ground for constituting an exception in favour of Dorchester. But supposing

that were not the case, then he admitted that the population of Dorchester was not sufficient to exempt it from the line laid down by the noble Lord; but in making that admission, he clearly proved the absurdity of that line, because a borough was about to be disfranchised which it was admitted was most perfect. He would call the attention of the House to what he considered a more important principle. The constituency of Dorchester consisted of every inhabitant householder who contributed to the local charges. These in number amounted to 500; but the new rule would deprive the town of 200 of these, and would confine the constituency to 300 votes. It might be said, that he was stating this for the purpose of exciting dissatisfaction amongst those who would be disfranchised by this Bill; but he wished explicitly to declare, that he would never ally himself with those whose object was to excite dissatisfaction amongst any class whatever. He must say, however, that it was a fatal error in this Bill, that when the opportunity offered of maintaining the connection between the wealthy class of voters, and that class which was above pauperism, but below the line of being 10*l.* householders, they neglected it, and thus lost the fair opportunity of softening the harshness of the arbitrary line which they had laid down. The Government ought to have, in this instance, given the franchise to all those who were above pauperism. He did not mean to say by this that the people had the right to the elective franchise, for all they had a right to was to be well governed; but, by refusing the franchise under such circumstances, they were diminishing the chance that this arrangement would be final. It might be alleged that these poorer householders would be more open to bribery; but he could truly say, that, as far as his experience went, they were not in the least more open to bribery than the voters for residences of 10*l.* value. The House had only to look at Liverpool to be convinced of that fact. He did not mean to contend for the indiscriminate admission of all the class of voters to whom he alluded, for he was aware that in manufacturing districts the franchise to 10*l.* householders would be almost equivalent to Universal Suffrage. The very ground, therefore, on which he would refuse the franchise to householders under 10*l.* in a manufacturing town, would be the same as

that on which he would desire to continue it to Dorchester. The rule laid down of 10*l.* qualifications would admit in one place a lower class of voters than could be found in the 5*l.* houses of the other. Here there was a case in which Ministers might, with perfect safety, have permitted 500 householders to preserve their franchise; and, so far from disfranchising the borough, he thought that they ought to have seized the opportunity of continuing to it its present privileges as soon as they discovered that they could do so without violating their own arbitrary rule.

Mr. *John Stanley* said, that the discussion of that evening was a proof that any concession, no matter how fair and just, only led to demands for further concessions, which had nothing of fairness or justice in them; and he was convinced, that if what had been asked, with regard to Appleby, had been granted, instead of being, as it had been, most justly and righteously refused, there would not have been a single borough in schedule A, with regard to which similar claims would not have been put forward, and there would not have been a single borough retained in schedule B. He could not help congratulating the hon. member for Corfe Castle (Mr. G. Banks) upon his constitutional fears, lest, by any alteration in the existing law, Members, on accepting office, should not necessarily be sent back to their constituents; and that so great, popular, and constitutional a control, over the appointment of a Ministry, should be lost. But where did the hon. Member find that control under the present system? Did not the hon. Member recollect, that when a right hon. Baronet opposite was rejected by his constituents at Oxford, he took refuge in the small borough of Westbury? [*“hear” from the Opposition.*] If the Gentlemen opposite would be good enough to listen, they would find his argument was not at all favourable to their views upon this subject [*renewed cries of “hear” from the Opposition.*] Let the Gentlemen opposite cheer what he was about to say now. Could it make any difference—with regard to this supposed popular control—whether a Minister sat in that House *ex-officio*, or whether a Minister were turned over to the patron of a nomination borough, to be returned by such patron? Did the hon. member for Corfe Castle mean to say, that a man was sent back to his constituents, and that a popular check and control were

exercised, when that man, having vacated his seat for one place, was returned for Westbury, or any similar borough? With regard to the case now before them, the population of Dorchester, it was admitted, did not come up to the line which had been laid down; and as Ministers must by this time have seen, that one concession would only have the effect of provoking demands for another, he did trust, that they would adhere rigidly to that line, both in the case of this, and of every other borough.

Lord *Ashley* said, that Dorchester, including the liberty of Fordington, contained 4,018 inhabitants, and they were so closely united that a stranger would suppose them to be one town.

Mr. *Baring* said, the hon. Gentleman who addressed the Committee last but one, had laboured to prove that Dorchester in 1821 did not contain 4,000 inhabitants. If, however, that fact could be made out, they were entitled to the support of the hon. Member, and that of his hon. friend, the member for Kirkeudbright. The whole country would see, that the borough of Dorchester, having a constituency of 500 electors, was to be cut down to 300; consequently such a measure could not be considered the best means of giving the people better Representatives. It was a serious thing to take away the elective franchise from the poorer classes. The Bill did the reverse of what it should do. It gave Universal Suffrage in the large manufacturing towns, and curtailed the right of voting in small towns. With respect to the borough of Dorchester, he could only say if Major Cartwright had brought forth the extraordinary measure it might not have been considered so wonderful, but that Ministers should lay down a plan to disfranchise the great county towns of England, such as Dorchester, Guildford, and Appleby, was beyond any thing visionary in the most visionary enthusiast. An hon. Gentleman had said, they had been spoiled by concession. That was certainly an extraordinary doctrine. Some few Gentlemen were to alter the Constitution of England, and a large portion of the Commons of England were not to say they were wrong. If they called for alteration of an extravagant plan, they were to be told, "Oh, no; we will make no concession." When the people of England recovered their reason, and found the Ministers disfranchising their county towns,

they would, as they ought, protest against the whole proceeding.

The *Attorney General* said, that it was extremely difficult for Gentlemen on his side of the House to know by what course they could give satisfaction to hon. Gentlemen opposite. If they made speeches in reply as long as those which provoked them, it was quite clear, that they should be playing the game of their adversaries by that delay. If they did answer, they were overpowered by loud volleys of interruption from that well-bred House, poured in upon them in the middle of their speeches, wilfully mis-stating their arguments, and preventing them from stating their own conclusions. He had hoped his right hon. friend, the member for Knaresborough, had exploded this irrational practice. But, on the contrary, in the course of that very evening, when a new Member and a young man (Mr. J. Stanley), had brought forward observations delivered upon the question, strictly confined to the point, he was stopped, in the midst of them, by cheers and shouts of ridicule. Similar treatment was received last night by a noble Lord: and it proceeded from the friends of order, and abhorers of all mob proceedings—from a House of Commons, which piqued itself upon politeness and good breeding, and regretted nothing so much in its own dissolution, as the supposed coarseness and vulgarity of its reformed successor. This mode of dealing with arguments, before they were even uttered, created no small difficulty on those, who had to carry on the controversy before such arbiters. Another mode of treating the arguments from that (the Ministerial) side of the House was, by replying, "Oh! that's no answer at all." Now such answers happened to be the best they could give, shortly, indeed, expressed, and not in that plausible and solemn manner, nor at that wearisome length, with which, on the other side, one and the same string of arguments against the Bill were so constantly repeated upon every one of its details. If the Gentlemen on the Ministerial side did give an answer, they were told, that it was no answer at all; and, if they gave no answer, then it was said that they had none to give. The Gentlemen opposite might continue to pursue this course if they pleased; but then they must allow him and his hon. friends to choose whether they would speak under such circumstances or remain silent.

The present question related to placing Dorchester in schedule B; and a new horror was started in the face of that proceeding. The hon. Gentleman who spoke last, had exclaimed, in agony and astonishment, "Good God! you are about to disfranchise a county town." This, however, was a mistake; they were going to do no such thing. They were merely going to deprive a county town of one Member, and they were going to do this because the return of one Member was as much as its fair share in the general Representation of the country. But suppose they had been going to disfranchise a county town, where had the hon. Gentleman (Mr. Baring) found, in his constitutional reading, that there was any necessary connexion between Representation and a county town? Chelmsford, which was the county town of Essex, returned no Members; Mansfield was the county town of Nottinghamshire, and it returned no Members; the same was true of other county towns, and he had never heard, that they were the worse for not returning Members, any more than he had ever heard that Wilton was the more respectable because it did return Members. They had been told, too, that they were sitting now upon a judicial inquiry. This he denied. No fallacy could be greater. They were carrying on a great work of expediency in their legislative capacity; not inquiring, as in a court of justice, whether this town or that was guilty of the crime of falling short of a given number of inhabitants. However, if it were so, then let them see how the Gentlemen on the other side acted, in their judicial capacity. An hon. Baronet (Sir G. Warrender) opposite had told them, that he entreated a fair, calm, and dispassionate consideration of the case of Dorchester; and why? Because the case of Dorchester was the same as the case of the hon. Baronet's own borough. This was the conduct of a disinterested judge; who, if they were sitting upon a judicial inquiry, would undoubtedly be banished from the bench. He could not feel, however, that the cases were so precisely similar. Was Honiton always pure? Had the electors never been bribed? Were they above all suspicion of taking bribes? He believed the hon. Member would not say yes? And now what was the question at present before the Committee? It was this: there had been laid down a certain line, and it was admitted, that Dorchester was below

that line. The question, then, was—whether it should lose one of its Members? It was contended that it ought not to lose one of its Members, because, by adding to the population of Dorchester the population of a neighbouring town, a population of 4,018, would be produced. That is, Dorchester and something else amount to 4,000; ergo, Dorchester ought not to be scheduled. The population of Dorchester was below the rule laid down, and, even if Fordington were added, it would only exceed the number of 4,000 by eighteen, and a small number of these a rural population. The borough was placed in schedule B, and it was for those who were desirous of removing it from thence, to prove, that its population was such as to take it out of the rule which governed the Representation under the Bill; but they themselves prove the contrary. An argument had been used by the right hon. member for Tamworth last evening, which seemed calculated to influence this discussion. The northern half of England was to obtain, by the Bill, many more Representatives than the south would obtain. But in drawing his arbitrary line, did it never strike the hon. Member, that the southern counties were still more out of proportion under the present system? Dorsetshire returned twenty Members; Cornwall forty-two; and Wiltshire thirty-four; making nearly 100 Members from three counties. The Representation of Wiltshire alone, exceeded that of Lincolnshire, Lancashire, and Cumberland, while Wiltshire and Cornwall together returned more Members than Yorkshire, Lancashire, Derbyshire, Lincolnshire, Leicestershire, and Cheshire put together, even if some others were added to them. It was from those parts, so over-represented, that the Representation was to be taken away by this Bill, for the purpose of giving it to places the Representation of which was insufficient. The north gained more, because the south had already too much: its over Representation was the very evil to be remedied; and the remedy was called unequal and vicious in its principle! When they were reproached with adhering to their line, he must say, that all the difficulties arose from quitting it. In common consistency, therefore, they were bound to adhere to the line, and between that course, and the utter abandonment of the line, he could perceive no mode of proceeding which would not lead to the most fluctuating,

perhaps the most conflicting, results. He fully concurred with the hon. Gentleman (Mr. John Stanley) near him, that one concession only led to demands for another. All the difficulties now in the way of the Bill might be attributed to the concessions made by Ministers, not in the House, but out of doors, in the case of Tamworth, Aldborough, Truro, and other places. He hoped, however, they would be driven into no further concessions by that House, constituted as it was. The right hon. Baronet (Sir R. Peel) opposite had, in speaking of this line, permitted himself to use the word "absurdity;" to speak of the absurdity of the line, which absurdity, according to the right hon. Baronet, consisted in their reducing the constituency of Dorchester from 500 to 300. But, in the first place, the line did no such thing, for all existing rights were preserved during the lifetime of those entitled to those rights, and it would, therefore, be many years before this reduction took place, if ever it took place at all. Then, again, the line was an absurd one, because it passed over a particular class of voters: but, in the name of common sense, must not every line do the same? must not some persons always be excluded, whatever arrangement might be made, if that arrangement stopped short of Universal Suffrage? Nay, even Universal Suffrage must exclude some, for the hon. member for Preston defined it to be the right of all persons, who had attained the age of twenty-one; but might not the young gentlemen of twenty and a half adopt the argument of the right hon. Baronet, and say that they were heartlessly and arbitrarily used by the law? Might not those young gentlemen, who wanted so little of the legal age, who came so near to what they might think the absurd legal line—might not one of these say, as the friends of the borough of Dorchester said, "How hard is my case; I am stronger and taller than my brother, who is twenty-one; I earn more money than he does; I know more than he does; I am in a more flourishing condition than he is; and yet, because I am six months younger, I am not to be allowed a vote, though he has one." The argument of such a gentleman would be quite as good as the argument in favour of Dorchester, and he would have just as much show of reasoning in calling the law heartless, arbitrary, and absurd, as the right hon. Baronet had in

applying those epithets to the line which excluded Dorchester from returning two Members to Parliament. In a word, the direct consequence of the right hon. Baronet's argument was, that the suffrage should be universal; for if a line were drawn short of that, there would always be a large number of discontented persons, who would come near the line, and whose claims, therefore, to the suffrage would, by the right hon. Baronet's mode of reasoning, be just and equitable claims. The hon. and learned Gentleman concluded by regretting that hon. Members had not confined their observations to the case before the Committee, and deferred the discussion into which they had embarked until they came to the 10*l*. clause.

Sir G. Warrender, in explanation, alluded to the assertion that he had decided against Dorchester, with reference to his own borough of Honiton. He had said, the borough of Honiton was the only borough in the class which could be compared with Dorchester, but he had no intention to prejudge the case of Honiton. He certainly concurred in the praise bestowed on the noble Lord, but the learned Attorney General had attacked his constituents. He wished to ask the learned Attorney General, where he had acquired the art of censuring persons before they were convicted of an offence? He would tell the Attorney General that his constituents were as pure as those of Nottingham. He had been returned as independent as a man could be, and he repelled with disdain the accusations which the Attorney General had thrown out against his constituents. He could understand that a desire prevailed to get rid of close boroughs, but the measure before the House would not effect that purpose. Were the boroughs in schedule B, nomination boroughs? No. His Majesty's Government had destroyed the landmarks of the Constitution. They would drive the vessel of State into unknown and tempestuous seas. The measure was pregnant with danger. Whilst the Ministers were looking with complacency to the result of their Bill, the Statesmen of other countries were looking for the wreck of the Government here, where the liberties of mankind had been long preserved, and where freedom had excited the admiration of the world.

Lord John Russell complained, that the right hon. Baronet, in his argument against the borough of Dorchester, had

brought under discussion a clause which was not regularly before the Committee. He would not then discuss whether scot and lot payers ought to retain their rights for ever. He only rose to beg the Committee not to get upon the quicksands to which the right hon. Baronet and others would drive them. The only question then was, whether Dorchester should return one Member or two. Every thing he had seen induced him to keep as near the line they had drawn as possible. They should confine themselves to the question.

Mr. Croker observed, that the speech which the noble Lord had just addressed to the House, had but one fault, which was, that it should have been addressed to his Majesty's Attorney General, who certainly had studiously avoided the case of Dorchester, contenting himself with lecturing them on manners and graces. *Mirabile dictu!* the Attorney General had turned Master of Ceremonies to the House of Commons. Instead of looking to their side of the House to blame them for interruption, the hon. and learned Gentleman should have taken a glance behind him. Would the Attorney General say, he had not on his side a majority of interruption? He was astonished to find the grave Attorney General becoming the tutor of Gentlemen, and professor of graces in the House of Commons. The learned Attorney-General had said, they were not sitting to do justice to the boroughs, and at the moment that argument was urged, the hon. and learned Gentleman complained of interruption. Was it not enough to call forth the exclamation of the hon. Member who interrupted him when the King's Attorney-General told them, when they were dealing with the rights of thousands of persons now living, and disposing of the rights of yet unborn generations, that those rights were not to be dealt with on the principles of justice, and when the grave Attorney General, instead of proving the justice and propriety of so dealing with the people, took it upon himself to lecture the House on politeness—was not that enough to excite merriment, and provoke interruption? He saw the friends of the learned Attorney General at the time look round, and express by gestures that he had gone too far. He never had heard the Attorney General attempt to grapple with the arguments against the Bill. There was the case of Truro, which must be an attractive case, opposed to a lawyer, be-

cause it was a case in point—it was a precedent, and lawyers liked to deal with precedents, yet it had been left wholly untouched. It was a proof, that the Attorney General could not grapple with the case. It was said, that Dorchester amounted to 4,018 inhabitants, and the Attorney General, unable to grapple with that fact, made light of it. "After all," said the Attorney General, "it exceeded the amount required by no more than the paltry sum of eighteen." When a line of strict justice had been drawn, the learned Attorney General made light of passing that line by eighteen.

The *Attorney General*.—I did not say it was the paltry number of eighteen; I said, hypothetically, if it had been eighteen.

Mr. Croker could not see much difference. The Attorney General had made light of the excess, because it was no more than eighteen, and it could not alter the impression upon the Attorney General's mind, although it was expressed hypothetically. Dorchester was an ancient town, comprehending three small parishes. The borough, like Truro, was within narrow limits, and the rest of the town was added in the way of suburb. Fordington was a liberty, and bore the same relation to Dorchester, as the liberty of Rye, and of other places, did to the borough. The population of Fordington, was 1,941, which, added to that of the borough, would bring the whole up to 4,600. It would be no more than fair to treat this borough as Truro had been treated.

Mr. Hunt must differ in one point from the Attorney General. By the Act of Settlement, placeholders had no right to sit in that House. Major Cartwright's hair, it was said, would stand on end, if he saw this Bill. He denied it, in the first place, because he had no hair. Major Cartwright did not wish to disfranchise any class, but to extend the franchise to all who were unjustly excluded from it. When he saw that the rotten, dirty little borough of Calne was to have two Members, he felt surprised that Dorchester was to have only one. It was to all intents and purposes, a most respectable county-town. He had no doubt, that if they left it in schedule B, it would raise a question in the country as to the justice of their proceedings.

The House divided. Ayes 279; Noes 193—Majority 86.

List of the AYES.

Acheson, Viscount	Duncombe, T. S.	Kemp, T. R.	Penrhyn, E.
Adam, Admiral C.	Dundas, Hn. Sir R. L.	Kennedy, T. F.	Perrin, L.
Althorp, Viscount	Dundas, Hon. J. C.	Killeen, Lord	Petit, L. H.
Anson, Hon. G.	Dundas, Hon. Thomas	King, Hon. R.	Petre, Hon. E.
Astley, Sir J. D.	Easthope, J.	King, E. B.	Phillips, C. M.
Atherley, Arthur	Ellice, E.	Knight, H. G.	Phillips, G. R.
Baillie, James Evan	Ellis, Wynn	Knight, R.	Ponsonby, Hon. B. W.
Bainbridge, E. T.	Etwall, R. jun.	Labouchere, H.	Ponsonby, Hon. G.
Baring, Sir T.	Evans, W.	Lambert, J. S.	Powell, W. E.
Baring, F. T.	Evans, W. B.	Lambert, H.	Power, R.
Barnett, C. J.	Evans, De Lacy	Langston, J. H.	Poyntz, W. S.
Bayntun, S. A.	Ewart, W.	Langton, W. Gore	Price, Sir R.
Belfast, Earl of	Fortescue, General	Lawley, F.	Protheroe, E.
Benett, J.	Ferguson, R. C.	Leader, N. P.	Ramsbottom, J.
Berkeley, Captain	Fitzgibbon, Hon. R.	Lefevre, C. S.	Rice, Right Hon. T. S.
Bernal, R.	Fitzroy, Lord J.	Lemon, Sir C.	Ridley, Sir M. W.
Biddulph, R. M.	Foley, Hon. T. H.	Lennard, T. B.	Robarts, A. W.
Blankney, W.	Foley, J. H. H.	Lennox, Lord A.	Robinson, Sir G.
Blake, Sir F.	Folkes, Sir W.	Lennox, Lord W.	Robinson, G. H.
Blamire, W.	Fordwich, Viscount	Lennox, Lord J. G.	Rooper, J. B.
Blount, E.	Fox, Lieut-Col.	Lester, B. L.	Ross, H.
Blunt, Sir R. C.	French, A.	Littleton, E. J.	Russell, Lord J.
Bodkin, J. J.	Gillon, W. D.	Lloyd, Sir E. P.	Russell, John
Bouverie, Hon. D. P.	Gisborne, T.	Loch, James	Ruthven, E. S.
Bouverie, P. P.	Graham, Sir J.	Lumley, J. S.	Sandford, E. A.
Boyle, Lord	Graham, Sir S.	Lushington, Dr.	Sebright, Sir John
Brabazon, Lord	Grant, Right Hon. R.	Maberly, W. L.	Sheil, R. L.
Brayen, T.	Grant, Right Hon. C.	Macaulay, T. B.	Skipwith, Sir G.
Brougham, W.	Grattan, James	Macdonald, Sir J.	Smith, J. A.
Brougham, James	Greene, T. G.	Mackenzie, J. A. S.	Smith, G. R.
Browne, J.	Gurney, R. H.	Mackintosh, Sir J.	Smith, M. T.
Browne, D.	Handley, W. F.	Macnamara, W. N.	Smith, Vernon
Brownlow, C.	Harcourt, G. G. V.	Mangles, J.	Spencer, Hon. F.
Buller, J. W.	Harty, Sir R.	Marjoribanks, S.	Stanhope, R. M.
Bulwer, E. L.	Harvey, D. W.	Marryatt, J.	Stanley, Lord
Bunbury, Sir H. E.	Hawkins, H.	Marshall, W.	Stanley, Hon. E. G. S.
Burdett, Sir F.	Heathcote, Sir G.	Martin, John	Stanley, J.
Burke, Sir J.	Heathcote, G. J.	Mayhew, W.	Stewart, P. M.
Burrell, Sir C. M.	Heywood, E.	Milbank, M.	Stewart, Sir M. S.
Byng, George	Hill, Lord G. A.	Mildmay, P. St. John	Stephenson, H. F.
Callaghan, D.	Hobhouse, J. C.	Mills, John	Strickland, G.
Calley, T.	Hodges, T. L.	Milton, Lord	Strutt, E.
Campbell, W. F.	Hodgson, J.	Moreton, Hon. H. G.	Stuart, Lord D. C.
Carter, J. B.	Horne, Sir W.	Morpeth, Viscount	Stuart, Lord P. J.
Cavendish, Lord G. A.	Hort, Sir W.	Morison, J.	H. C.
Cavendish, H. F. C.	Hoskins, K.	Mostyn, E. M. L.	Stuart, E.
Cavendish, C. C.	Howard, P. H.	Mullins, F. W.	Talbot, C. R. M.
Cavendish, W.	Howard, R.	Musgrave, Sir R.	Tavistock, Marquis of
Chapman, M. L.	Howick, Lord	Newark, Lord	Tennyson, C.
Chichester, A.	Hudson, T.	Noel, Sir G. N.	Thicknesse, R.
Clive, F. B.	Hughes, W. H.	Norton, C. F.	Thompson, Alderman
Cockerell, Sir C.	Hughes, Colonel	Nowell, A.	Thomson, P. B.
Colborne, N. W. R.	Hughes, W. L.	Nugent, Lord	Thomson, Right Hon.
Craddock, S.	Hume, J.	O'Ferrall, R. M.	C. P.
Crampton, P.	Hunt, H.	Offey, F. C.	Throckmorton R. G.
Creavey, T.	Ingilby, Sir W.	O'Grady, Hon. S.	Tomes, J.
Currie, J.	Innes, Sir H.	O'Neil, Hon. J. B. R.	Torrens, Robert
Curteis, H. B.	James, W.	Ord, W.	Townshend, Lord E.
Dawson, A.	Jeffery, Rt. Hon. F.	Osborne, Lord F. G.	Trowbridge, Sir C.
Denison, W. J.	Jephson, C.	Ossory, Earl of	Trail, G.
Denison, J. E.	Jerningham, H. V.	Paget, Sir C.	Tynte, C. K.
Denman, Sir T.	Johnston, A.	Paget, T.	Tyrell, C.
Dixon, J.	Johnston, J.	Palmer, C. F.	Venables, Alderman
Doyle, Sir J. M.	Johnstone, J. J. H.	Palmerston, Viscount	Vere, J. H.
	Johnstone, Sir J.	Pelham, Hon. C. A.	Vernon, G. H.
		Pendarvis, E. W. W.	Villiers, T. H.
		Penlease, J. S.	Vincent, Sir F.

Waithman, Alderman	Williams, W. A.
Walker, C. A.	Williams, Sir J. H.
Warburton, H.	Williamson, Sir H.
Warre, J. A.	Willoughby, Sir H.
Wason, R.	Wood, Alderman
Watson, Hon. R.	Wood, J.
Webb, E.	Wood, C.
Weyland, Major	Wrightson, W. B.
White, H.	Wrottesley, Sir J. B.
White, S.	TELLER.
Wilks, John	Duncannon, Viscount.

Paired off in favour.

Belgrave, Viscount	Lopez, Sir R. F.
Blayney, Hon. C. D.	Maule, Hon. W. R.
Briscoe, J. I.	Morrison, John
Bulwer, H. Lytton	Newport, Sir J.
Buxton, T. F.	O'Connell, D.
Byng, G. S.	O'Connell, M. D.
Coke, T. W.	Oxmantown, Lord
Dundas, C.	Parnell, Sir H. B. B.
Ebrington, Viscount	Portman, E. B.
Ferguson, R.	Ramsden, J. C.
Foley, E. T.	Rider, T.
Foster, J.	Rumbold, C. E.
Godson, R.	Slaney, R. A.
Grosvenor, Hon. R.	Tufton, Hon. Henry
Heron, Sir R.	Waterpark, Lord
Hill, Lord Arthur	Western, C. C.
Howard, H.	Westenra, Hon. H.
Hutchinson, J. H.	Whitbread, W. H.
Jermyn, Earl of	Winnington, Sir T. E.
Lamb, Hon. G.	Bart.
Loch, John	

The question "that Droitwich stand part of the schedule" was carried.

The next question was, "that Evesham stand part of the schedule."

Mr. *Hudson* said, he felt it necessary, as one of the Members, to put the Committee in possession of some of the facts with regard to the borough. The population, in 1821, was 3,487. It now contained 4,000 inhabitants, and paid 1,296*l.* 11*s.* per year assessed taxes. There were 847 inhabited houses in the town, of which 299 were upwards of the value of 10*l.* per year. There were 123 resident freemen, and under the provisions of this Bill, it would have about 420 electors, with such a constituency, respectable and independent, as he could bear witness, it could not be considered an inconsiderable place, and it was much superior to many boroughs which would continue to return two Members. After the determination, however, which the Committee had come to in other instances, it would be of no avail to offer further observations, but he hoped, at some subsequent stage of the Bill, the state of these boroughs would be reconsidered.

Question carried, and Evesham was placed in the schedule.

On the question, "that Great Grimsby stand part of the schedule,"

Mr. *Shelley* said, that he had intended to say a few words; but at that hour of the night, he would merely observe, that although, by the returns of 1821, the borough had less than 4,000 inhabitants, it was not a nomination borough, nor a decayed borough, but a highly thriving and prosperous place.

Captain *Harris* denied, that the borough of Great Grimsby was a rotten borough. He would not consent to disfranchise that borough, nor, indeed, any borough either in schedule A or in schedule B, unless he was convinced that the Members of that House were inconvenient in their numbers. Great Grimsby was an ancient borough, and had a right to victual the fleet in time of war. It had excavated a large basin at a very considerable expense. He had not heard any borough defended in a similar manner [*laughter*]. He would not be put down by laughter. It was a port which had yielded in Custom-house duties, from the 6th of June, 1830, to the 5th of June, 1831, 30,597*l.* 15*s.* 4*d.* When he told the hon. Committee, that it had doubled its population in the interval between 1811 and 1821, and that it had increased more than 1,000 souls in the interval between 1821 and 1831, he thought that he had laid strong grounds for not disfranchising this borough. He would venture to prophesy, that it would double its population in the interval between 1831 and 1841. With these observations he would leave the borough of Grimsby in the hands of the Committee.

Colonel *Sibthorp* could not let this borough go into the merciless hands of the Committee, without bearing his testimony to its respectability and independence. He called on the hon. members for Wareham and Bletchingly, who had formerly represented this borough, to state whether they had not repeatedly addressed the electors of Grimsby as free and independent electors. At present Grimsby was any thing but a nomination borough, but if it were only to return one Member, a great Whig Lord in that neighbourhood, who possessed 100 acres where other gentlemen of the district only possessed a rood, would undoubtedly become its patron, and it would sink into the condition of a nomination borough, which hitherto it had never been. He would join his hon. and gallant friend, the member for

the borough, in dividing the Committee against its disfranchisement, even though they should be the only persons who thought it should not be disfranchised.

Mr. *A. Trevor* rose to enter his solemn and decided protest against this universal devastation of boroughs. He could not believe, that such a system was agreeable to the wishes of the people. That they should take population as the test of disfranchisement, and decide without hearing evidence, seemed to him monstrous injustice. No such sweeping measure of Reform had been called for. He would concur in any motion for removing great Grimsby from schedule B.

Mr. *Cresset Pelham* thought the ulterior consequences of thus dealing with corporations and boroughs, would be very important. He hoped the members for the City of London would exert themselves, and prevent the rights of other corporations, and ultimately of their constituents which had existed before the Conquest, from being trampled upon. The course of spoliation which the House was pursuing would terminate in the ruin of the Constitution.

Sir *J. M. Doyle*: If we go on in this way from night to night during this hot weather, some of us making, and others of us listening, to speeches, which have been repeated over and over again, and almost without variation, during the course of the present Session, I am sure that it will terminate in the ruin of all our constitutions.

The question was carried, that the borough of Great Grimsby stand part of schedule B.

The Chairman was going to put the question on the next borough, when several Members called out "adjourn."

Lord *Althorp* proposed, that the Committee should proceed that evening as far as Guildford. If any Gentlemen were inclined to object to proceeding further, he certainly would not persist in his proposition. He thought, however, that they might proceed to take one or two boroughs, to which no opposition was expected, and that afterwards the Chairman might report progress, and ask leave to sit again to-morrow.

The Chairman put the question of adjournment.

Colonel *Davies* immediately rose to oppose the adjournment at that hour. Though he knew that the Gentlemen opposite would disclaim all disposition to

delay unnecessarily the progress of this Bill, still he must say, that if they persisted in pursuing the same career that night, which they had pursued previously, he should give but very little credit to their disclaimer. He must also tell the members of his Majesty's Government, that if they allowed themselves to be beaten every night on this question of adjournment, and if they allowed gentlemen holding situations under them, to make long speeches in reply to arguments which had been advanced and refuted till they had become as rotten as the boroughs which they were used to defend, they must not expect to escape the censure of the country. He was sorry to say, that there was too great a disposition to speechify on this Bill, on the part of the Government. The country felt this, and was desirous to see more of action and less oratory on the part of the Ministers. He was not to be put down by clamour—he was as independent as any Member in the House, and possessed, what many of them did not, —a large constituency. He therefore claimed, in their name and in his own, the right to be heard on this subject. He would tell Ministers fairly, that if they did not wish to be considered as parties to the delay of which the country was hourly complaining, and that if they did not wish to be denounced as lukewarm advocates of Reform, they must adopt a very different system towards the Opposition from that which they had hitherto pursued.

Mr. *Croker* felt himself bound in fairness to the noble Lord to state, that the noble Lord had conducted himself on this occasion with that propriety of demeanor to his opponents which distinguished him upon all occasions. He thought that they ought not to proceed further that night, as it would be inconvenient to break through the arrangement which they had all tacitly agreed to. Besides, he knew that several friends of his, who wished to take part in the discussion, had gone away, relying that the arrangement to which he had alluded would be faithfully observed by both parties.

Lord *Porchester* protested against the violent language used by the hon. and gallant member for Worcester, and said, that such dictation as he had ventured to employ ought not to be permitted for an instant.

Mr. *Pusey* would have yielded to the

suggestion of the noble Lord, and would have proceeded with the schedule as far as Guildford, had it not been for an observation which had fallen from the hon. and gallant member for Worcester. That hon. Member had rebuked the Chancellor of the Exchequer for allowing the King's Attorney General to make a speech of more than half an hour's length in reply to the arguments of those who had gone before him. Was that rebuke calculated to promote or to stifle free discussion?

Sir R. Inglis called upon the hon. and gallant member for Worcester to state whether the allusion which he (Colonel Davies) had just made to Members under Government delivering long speeches, was not intended to apply to the King's Attorney General?

Colonel Davies: What is it to the hon. and learned member for the University of Oxford whether I did mean the King's Attorney-general or not? I protest against his right to put such a question, either to me or to any other Member. If I did mean the Attorney General, I did; if I did not, what right has he to ask me whom I did mean?

Colonel Sibthorp said, that the hon. and gallant member for Worcester had charged him and his friends with causing unnecessary delay. Now he charged the hon. and gallant Member with unnecessary haste. The hon. and gallant Member might rest assured that the country would blame him, if he attempted to put down the anti-reformers at the very moment that they were preparing to justify themselves against the attacks that had been made upon them. If the hon. and gallant Member should lecture from that time to Christmas, he would not make him (Colonel Sibthorp) follow his advice, especially whilst he (Colonel Davies) was sitting on the Ministerial benches.

The Chairman was ordered to report progress, the House resumed.—The Committee to sit again the next day.

BREACH OF PRIVILEGE.] The *Speaker* called the attention of the House to the case of an individual, in custody for committing a breach of privilege, which he was perfectly satisfied, was entirely unintentional. Before the division took place in the early part of the evening, and when strangers were ordered to withdraw, this gentleman, who had been sitting under the gallery, seeing a rush occasioned by Mem-

bers entering the House, presumed that the division was over, and so got into the House, and was present during the division. That was the true state of the case, and he presumed, therefore, that the feeling of the House would be in favour of this individual being immediately discharged.

Lord Althorp was persuaded, that the House would coincide with him in thinking that the recommendation which had fallen from the Chair was a proper one.

The *Speaker* said, the House being of that opinion, he would give the necessary directions to discharge the Gentleman.*

HOUSE OF LORDS, Friday, July 29, 1831.

MINUTES.] Queen's Dower Bill; Committed.

Petitions presented. By the Marquis of LANSDOWN, from Catholic Clergy and Laity of Carrick-on-Suir; of Catholic Inhabitants of Kenmare and Greenagh, for alteration of the Grants for Education (Ireland); from the Inhabitants of Tralee, against the Grant to the Kildare Street Society; and from the disfranchised 40s. Freeholders of Balriggeran, for a restoration of the Elective Franchise. By the Earl of CARLISLE, from the Inhabitants of Brigham, Greysouthen, and Eaglesfield, for a revision of the Criminal Laws; and from the Inhabitants of Dewsbury, to introduce Poor Laws into Ireland.

BELGIC NEGOTIATIONS.] The Marquis of Londonderry, seeing the noble Earl at the head of the Administration in his place, wished to ask the noble Earl some questions relative to the papers which he had last night laid on the Table. Their Lordships would observe, that the Protocol was dated the 17th of April last, and that the communication of that Protocol to the French government, by the letter addressed to Prince Talleyrand, was dated on the 14th of July, about three months subsequent to the date of the Protocol. Now, one of the questions which he wished to ask of the noble Earl was, whether any communication of the Protocol had been made to the French government before the letter of the 14th of July? This was a question of considerable importance;

* The Gentleman referred to in the text, whose name, it appears, was Seymour, had been sitting under the gallery, in the place allotted to strangers, and upon a division taking place, he followed the Members who were going up to one of the side galleries. He was soon pointed out as being a "stranger," and consigned to the custody of the Serjeant-at-Arms, in which he remained till liberated at the close of the debate.

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because, if a previous communication had been made, there might have been some answer given to it; and he wished to know, whether any such answer had been given? Then, with respect to the communication of the 14th of July, he wished to know, whether any answer had been given to it? The concluding words were—"The undersigned see no objection to giving the same publicity to the Protocol as may be given to the other acts of the negotiations which have taken place since the month of November, 1830, on the affairs of Belgium." These words seemed to imply that some previous communication had been made to the French government, and that an answer had been returned containing something about the publicity to be given to the Protocol. But if there had been no such previous communication and answer, he wished to know whether any answer had been given by the French government to the letter? He also wished to know from the noble Earl, whether the communication to the French government was voluntarily made, or whether it was made in consequence of a demand of the French government? He hoped, that the noble Earl would, in courtesy, favour him with an answer to these questions.

Earl Grey did not know, whether the answers which he could give to the noble Marquis's questions would be satisfactory to him or not. With regard to the question as to whether any communication of the Protocol had been made to the French government previous to the letter of the 14th of July, his answer was, that no formal communication in writing, such as could be presented to that House, had been previously made, although there had been a verbal communication. As to the question whether the French government had given any answer to the communication, his answer was, that no formal answer in writing, such as could be laid before the House, had been given.

AUGMENTATION OF SMALL LIVINGS.]

The Archbishop of *Canterbury* rose, to move the second reading of the Bill for the Augmentation of the Incomes of small Church Livings. The object of the Bill was, to extend the provisions of an Act of Charles 2nd, entitled, "An Act for confirming and perpetuating Augmentations made by Ecclesiastical Persons to small Vicarages and Curacies, and for other Purposes." That Act had been passed with

a view similar to that which he contemplated, but it had not gone far enough towards effecting its object. It was not his intention, at present, to enter at large on the subject of appropriations or impropriations, but those who wished to make themselves fully acquainted with it, might consult a letter which had been written to Mr. Percival by Lord Harrowby, which had been recently reprinted, and in which the subject was treated in a full, clear, and lucid manner. He would only observe, that great abuses had prevailed, as to appropriations, from the time of the Conquest to that of the Reformation, and that, instead of being remedied at the Reformation, they had been confirmed and perpetuated. This state of things continued during the reign of Elizabeth. On the accession of James, many attempts had been made to correct these abuses, and at the Restoration an excellent opportunity was presented for that purpose, had it been taken advantage of. The Archbishop of Canterbury and the Bishop of London of that time, had been distinguished for their exertions to get a portion of the revenue of the Church applied to the augmentation of small livings, but they had not been very successful. In the reign of Charles 2nd, an Act was passed to enable impropriators to apply part of their tithes to the augmentation of small livings; and the object of this Bill was, to extend its provisions, and to allow Collegiate Bodies, and Hospitals, and Spiritual Corporations, to apply a portion of their ecclesiastical revenues to the augmentation of small rectories, vicarages, and curacies; and it was proposed, that the incumbents of the richer livings should be empowered, with the consent of the bishop and patron, to assign part of the tithes of their livings to the augmentation of small livings, such assignments to be binding on the successors. He knew, that if the Bill should pass, there were incumbents of rich livings who were prepared to assign a portion of their tithes in this way, and he was, therefore, warranted in saying, that this measure would do a great deal of good. The condition of the clergy would thus be improved, without any violent revolution of property. But in order to have the provisions of this Bill carried into execution in the safest and most efficient manner, he had taken steps towards instituting an inquiry into the state of Church property. The Bill was no new measure of his. It had

been proposed some years before among a series of Bills which prepared for the improvement of the state of the Church. He had the satisfaction to state, that he had received encouragement and support in effecting his object of improving the condition of the Church from two successive Administrations. Both the noble Duke opposite and the noble Earl who succeeded, had been equally well disposed to make such improvements in the Church as should be sanctioned by the heads of it. And he had to thank both the noble Duke and his successor for their kindness and courtesy. In conclusion, he had to observe, that this was no concession to unreasonable clamour, but only an improvement which was really called for, and might be safely carried into effect.

The *Lord Chancellor* had, as was his duty, examined the provisions of the Bill, and had only to express his high satisfaction with the Bill, and his thanks to the most reverend Prelate for his valuable and judicious improvements. It was not surprising that men should have different views on the subject of tithes, and that a most reverend Prelate and a noble and learned friend of his (*Lord Eldon*) had differed about the provisions of the Tithe Composition Bill. But, on this Bill, he thought there could be no difference of opinion in any quarter. It was not very long ago, since there were livings in the Church, of an income so low as 5*l.*, or 6*l.*, or 8*l.* a-year. That state of things had been since altered for the better; but he believed, that there were still from 800 to 1,000 livings of not more than 60*l.* a-year. This was really no more than was often given as wages to a menial servant. There were many of their Lordships who had menial servants to whom they paid 60*l.*, and some to whom, with board wages, they paid 80*l.* Now, it was not fitting, that men of education, important members of society, and sometimes men of great parts, should be placed, as to income, on the footing of menial servants. It was, therefore, highly desirable, by all reasonable and fair means, to promote the equalization of Church livings, and this measure was calculated to promote that object. He knew of several persons who were prepared to avail themselves of the passing of this Bill to contribute to the augmentation of small livings, and therefore it would be of great utility. The disparity of livings was an evil from which the Church in the north-

ern part of the island was entirely exempt. In the Church of Scotland, there was no living of a less income than 150*l.* a-year, and the average might be taken at 200*l.* a-year. It was highly desirable, that here, where the whole revenue of the Church was so much larger, the incomes of the smaller livings should be considerably augmented. He concluded by again thanking the most reverend Prelate for the attention which he had paid to this subject, and for his valuable and judicious improvements.

The *Bishop of London* expressed his high satisfaction at the prospect of having an inquiry instituted into the state of the revenues of the Church. The Church had no cause to fear a full investigation into the state of its revenue, and if it had any cause to fear, that would be a reason for inquiry. The inquiry would be highly beneficial, as it would lead to just and correct views of the real state of the Church revenue, instead of those views which were founded only on the most unjust and exaggerated statements which were often put forth on this subject—statements which, though frequently rebutted, still continued to be repeated, and could never be put down but by a thorough inquiry, such as that which it was now proposed to institute. He believed, that it would turn out, that the Church property did not amount to one-third of that sum which it was represented to be. Another advantage of this inquiry would be, that it would serve as the groundwork of the improved distribution of the Church revenues. Defects were apt to creep into all institutions, and these, from time to time, it was necessary to remedy. When it should once be fairly seen what the revenues of the Church really were, he believed, that there would be no desire, on the part of any reasonable man, to encroach on them. The people had a right to look to the improvement of the condition of the Church, and to call for that improvement in any way which did not infringe on the great principles on which the Church was constituted. There would be difficulties in the way of carrying into effect the provisions of this Bill, as there were difficulties in the way of carrying into execution almost all great and complicated plans, but it would be of great assistance and advantage, that every thing to be done would be based on the result of this inquiry. The inquiry would afford the means of giving

efficiency to the provisions of the Bill, which might, therefore, be considered as well calculated to answer its great purpose. He would not, at present, trouble their Lordships by any explanation of his own notions on the state of the Church property, since the matter would be so much better elucidated by the intended inquiry. He also was persuaded, that the incumbents of the richer livings would not be backward to promote the objects of this Bill, although it would not be proper to be too sanguine as to the assistance to be derived from this, since there were few livings so rich as they were generally supposed to be; and, therefore, it would be the more desirable, that every exertion should be made to have the small livings augmented by the other methods. On the whole, he thought, that the country had reason to be satisfied with the measures now in progress for the improvement of the Church.

Bill read a second time.

HOUSE OF COMMONS,

Friday, July 29, 1831.

MINUTES.] Bills brought in. By Mr. SPRING RICE, for raising 13,616,400*l.* by Exchequer Bills for 1831. By Mr. HOBHOUSE, for the better regulation of Vestries.

Petitions presented. Against the use of Molasses in Distilleries and Breweries, from Corn Growers of Bungay, Halesworth, and Harleston; of Tenants and Occupiers of Land in Haddington, of Members of the Norfolk Agricultural Society, of Members of the West Lothian Agricultural Society, of Owners and Occupiers of Land in Soham, of Corn Factors of Mark Lane, Merchants, Factors, and Growers of Corn (Dundee); from Corn Growers of Framlington, of Scotch Distillers, and several others. By Colonel EVANS, from the Inhabitants of Rochdale, against the Highways Bill. By Sir MICHAEL SHAW STEWART, from the Merchants and Ship Owners of Plymouth, and from the Chamber of Commerce, Greenock, against the Duties on Marine Insurances. By an HON. MEMBER, from Residents of Strabane, against Reform in Parliament.

DUBLIN ELECTION.] In consequence of Mr. White, who voted at the Dublin Election, having been chosen by ballot as one of the Committee to try the Election Petition, a fresh ballot was on Thursday ordered for this day; previous to which, however, a long debate took place, as to whether the first ballot was vitiated by the above hon. Member being one of its number.

Mr. O'Connell moved, that the eleven Members drawn yesterday for trying the Dublin Election Petition be called in and sworn. On this Motion a long discussion ensued, during which strangers were excluded. A division took place, when there

appeared—Ayes 80; Noes 100—Majority 20.

A new Committee was ballotted for.

List of the AYES.

Astley, Sir J. D.	Lennox, Lord W.
Benett, John	Lennox, Lord G.
Blount, E.	Littleton, E.
Bodkin, J. J.	Macdonald, Sir J.
Bradshaw, R. H.	Macnamara, William
Bradshaw, J.	Marjoribanks, S.
Brownlow, Charles	Maule, Hon. W.
Browne, John	Mangles, J.
Browne, Dominick	Milton, Lord
Bulwer, H. L.	Norton, Charles F.
Burdett, Sir F.	O'Connell, M.
Burke, Sir John	O'Ferrall, M.
Callaghan, D.	Paget, T.
Calcraft, Granby	Palmer, General
Campbell, W. F.	Parnell, Sir Henry
Chapman, Colonel	Polhill, Captain
Chichester, Colonel	Ponsonby, Hon. G.
Coote, Sir C. H.	Protheroe, E.
Crampton, P. C.	Ruthven, E.
Cumming, Sir Wm.	Scott, Sir W.
Dawson, Alexander	Sheil, R. L.
Denison, W. J.	Smith, Vernon
Doyle, Sir J. M.	Stanley, Lord
Ellice, E.	Strutt, E.
Evans, De Lacy	Thicknesse, R.
Ewart, W.	Torrens, Colonel
Fitzroy, Lord Charles	Tufton, Hon. H.
Forbes, Sir C.	Venables, Alderman
Fox, Colonel.	Walker, C. A.
Hort, Sir William	Weyland, Major
Hudson, John	Warburton, H.
Hume, Joseph	White, Samuel
Hunt, H.	Whitmore, Wm. W.
Johnston, Andrew	Westenra, Hon. H.
Kemp, T. R.	Wilks, J.
Kennedy, Thomas F.	Wood, Alderman
Killeen, Lord	Wood, John
Lambert, Henry	TELLERS.
Lane, Fox, Colonel	Duncannon, Lord
Leader, N. P.	O'Connell, Daniel.

PUBLIC IMPATIENCE—PROGRESS OF REFORM.] Mr. H. L. Bulwer presented a Petition from Coventry, complaining of the slow progress of the Reform Bill. He said, that he felt much satisfaction in presenting the petition, because it proved the incorrectness of the assertions which had been made by some hon. Members, that the people out of doors ceased to feel any deep interest with regard to the Reform Bill. The petition was brought up and read. It complained of the improper and shameful obstructions being opposed to the progress of the Reform Bill by a minority of the House, and prayed that some means might be adopted to hasten the passing of the Bill.

The *Speaker* said, that the petition

could not be received, because its terms were not respectful towards the House; and the hon. Member would not be doing his duty, if he persisted in presenting it to the House.

Mr. *H. L. Bulwer* would immediately bow to the decision of the Speaker, as the language of the petition was considered by him disrespectful, and withdraw it. The petition had been placed in his hands, because the petitioners were desirous of preventing delay in passing the Bill to which it referred.

Sir *Charles Forbes* was not aware of any unfair obstructions thrown in the way of passing the Bill in that House. The petition itself, indeed, was an obstruction, as it occupied their time.

The *Speaker* wished to stand fair with the hon. Member, who had a right to express his opinion as to the course he desired to pursue, and to say he agreed with the prayer of any petition he presented; but that was not quite sufficient; it was also his duty to ascertain that the petition was decently worded, which was not the case at present.

Mr. *H. L. Bulwer* had not attended to its peculiar wording, but had merely stated its object.

Petition withdrawn.

BUSINESS OF THE HOUSE—THE CIVIC FEAST.] Lord *Althorp*, in rising to move the Order of the Day for the House to resolve itself into a Committee on the Reform Bill, stated, that it was considered desirable, for reasons with which he believed all the Members of the House were acquainted, that the House should not sit on Monday. But, as the important question of the Reform Bill was in the course of discussion, Ministers did not think that they ought to adjourn the House for so long a period, as from Friday to Tuesday; and they therefore proposed, as there would be a royal Commission to-morrow at twelve o'clock, to form a House at that hour, and proceed with the Reform Bill until six o'clock. His Lordship then moved the Order of the Day.

Mr. *C. W. Wynn* said, that though it would be, doubtless, very agreeable to his Majesty's Ministers to partake of the hospitality of the city of London on Monday next, yet he did not think it would be fair in the House to put parties who were interested in the proceedings of the Carnarvon, the Coleraine, the Dublin, and the

Great Grimsby Election Committees to great expense by sitting to-morrow. If the House met to-morrow at twelve o'clock, it was quite plain, that no business could be done by the Election Committees. He thought, that it would have been nothing but justice to have given a longer notice to the parties who had retained counsel, and who were obliged to pay the expenses of witnesses, that the House would sit to-morrow. The Reform Bill was not of such importance as to render it imperative on the House to proceed with it *de die in diem*, because it seemed that the Reform Question must give way, in order to allow his Majesty's Ministers to dine in the city on Monday; but yet it was so important, that the House was to be called upon to sit to-morrow, a course of proceeding fraught with all the inconveniences which he had mentioned, in order to make up for the time lost by his Majesty's Ministers in attending a civic festival.

Mr. *Dixon* informed the House, that no inconvenience would result, as far as the Coleraine Election Committee was concerned, from the House sitting to-morrow, because that Committee had already determined to meet at ten o'clock, and to rise at twelve o'clock.

Sir *G. Warrender* had no wish to impede the Reform Bill unnecessarily; but he thought, that Ministers had better give way on this point, for he was sure that they would lose more time by debating the proposition, than they would gain by carrying it. He requested to have a holyday to-morrow, and he was of opinion that the House ought to allow some leisure to the Speaker.

Lord *J. Russell* did not think, that the circumstances mentioned by the right hon. Gentleman (Mr. *C. Wynn*), formed any objection to proceeding with a measure of so much importance as the Reform Bill. The right hon. Gentleman had said, that Ministers were unwilling to give up going to dine in the city on Monday, notwithstanding the importance of that Bill; but the right hon. Gentleman seemed to forget, that the Reform Question never came under discussion on a Monday. He considered it of so much importance to proceed with the Reform Bill, that he thought that the House would do right by meeting to-morrow morning. He admitted, that some inconvenience would arise from the interruption of the proceedings of Election Committees; but he considered the

delay of the Reform Bill the greater evil of the two.

Mr. *C. W. Wynn* said, all he proposed was, that the Government should give up to their duty, those more agreeable engagements which they had formed elsewhere.

Mr. *Hume* recommended the noble Lord to do as he would be done by. He was as anxious as any body to promote the success of the Reform Bill, but he could not avoid recollecting how much the labours of the Election Committees would be retarded by the meeting of the House on Saturday. The right hon. Gentleman (Mr. Wynn) had attempted to cast a slur on those who proposed to partake of the public breakfast (not dinner) in the city on Monday next. Now he was one of those who intended to go; and he believed it was the general opinion of others in the same circumstances, that they went there as a mark of respect to the Sovereign, and not for the sake of what they would get in the way of refreshment; for many of them had ordered a dinner at home when the business was concluded. He believed, too, that the Committee looked on the presence of the Speaker of that House, and the members of the Government, as necessary to give effect to the ceremony, and to do honour to his Majesty.

Mr. *C. W. Wynn* repeated, that he merely wished the Government to do its duty, rather than subject the petitioners on elections to unnecessary expense.

Mr. Alderman *Venables* said, that the Committee had extended their invitations to all the number which could be accommodated; and he hoped that no soreness was felt on account of unavoidable omissions.

Sir *C. Wetherell* recommended the noble Lord to abandon his intentions with respect to Saturday, and to sit one hour earlier each day of the ensuing week.

Colonel *Sibthorp* had heard the Ministers were anxious to be in the city, because a Common Hall had been convened, and they anticipated being opportunely in the way, to receive some Representation from that august body, upon the improper conduct of his side of the House, in its attempts to discuss at length, and so delay, the favourite measure of Reform.

Lord *Althorp* denied all design of that kind. He knew there was to be a meeting, but he did not know on what day, and he believed some of his colleagues

had never heard a word on the subject. He was afraid he could not agree to the proposal of the right hon. Gentleman, as the Members thought they sat long enough each day already; and he conceived, that on an occasion when his Majesty went in state to the City of London, it was the duty of his Ministers to accompany him, so that it was not convenient that they should sit on Monday.

Lord *Milton* conceived, that the House should meet to-morrow, but at two instead of twelve o'clock.

An *Hon. Member* said, that the progress of the Reform Bill would not be retarded by the House not meeting either to-morrow or on Monday, because, if the House were to sit on Monday, the Estimates, and not the Reform Bill, would, according to the arrangement which had been agreed on, be the subject of discussion.

Sir *Charles Forbes* said, if they met at noon to-morrow, the Election Committees must adjourn, and the parties would thus be injured.

Sir *Edward Sugden* said, there were many professional men in the House, who were not the least efficient members of a Committee which was to make such important changes. And as they had also important duties to perform elsewhere, it would not be convenient for them to attend, and they could not sacrifice the interest of their clients. Other Gentlemen had made arrangements to go out of town to-morrow, and were those engagements to give way to the noble Lord's convenience, or was the Reform Bill to be hurried through in their absence?

Lord *Althorp* did not think, that protracting the time for the sitting of the House would be of public advantage. He thought he offered a fair compromise, when he proposed to sit from two to eight o'clock to-morrow.

Sir *Charles Wetherell* said, this arrangement would interfere with the previous arrangements of hon. Members. It was proposed last week they should sit on Saturday, but he understood it was only for the reception of petitions; he, therefore, wished they should agree to sit to-morrow week for the discussion of the Reform Bill.

Sir *James Scarlett* said, the Reform Bill would lose nothing by the House not sitting on Monday, because other business was transacted on that day. He also objected to the proposed arrangement, be-

cause the motion was brought forward without notice.

Sir *John Sebright* never understood Monday was to be entirely devoted to Supplies, and that the Reform Bill was not to be discussed on that day, if there was time. The sitting on Saturday was necessary, because hon. Gentlemen repeated the same arguments so frequently that time was wasted. His patience was wholly exhausted, listening to their repetitions. He had no objection to listen to new reasons against the measure, if they could be adduced. He agreed to the propriety of meeting to-morrow, and most certainly would attend.

Mr. *Wrangham* protested against the injustice of the course which the noble Lord proposed to pursue. The Ministerial side of the House would to-morrow be crowded with official persons and Members at the command of Ministers, whilst, on the Opposition side of the House, there would, in all probability, be a very thin attendance. He sincerely believed, that he could make out such a case in favour of Sudbury as would induce Ministers to take it out of schedule B. If the House should proceed with the Bill to-morrow, he would contend, that his constituents had not had fair notice of trial.

Mr. *Pringle* would recommend, that to-morrow should be wholly occupied by petitions; they could, by that means, have a longer time to discuss the Bill on Tuesday.

Mr. *Spring Rice* said, the Committees sitting on election petitions had been alluded to as being unable to take their places, but, by the arrangements made, they would be able to attend at two o'clock.

Mr. *Croker* was of opinion, that the proposition of the noble Lord would put many hon. Gentlemen to great inconvenience. They had generally appointed Saturday to transact their own affairs, and it was not fair, without notice, to interfere with their arrangements.

Mr. *Hodges* said, it was not right, at eight o'clock in the evening, to propose to depart from the arrangement which had been made with respect to the Bill. He had intended to go into the country, but must, in this case, put his journey off.

Sir *Richard Vyvyan* said, it was understood they were to devote four days in the week to the consideration of the Reform Bill; but, by the proposed arrangement,

they would devote five days. If this was pressed, some Members would be driven to the unpleasant alternative of moving an adjournment when the Committee was to be gone into.

Mr. *G. Dawson* said, some Gentlemen had paired off having understood that the Bill would not be brought on to-morrow; others had left town until Monday; it would be unfair, therefore, to proceed in their absence.

Sir *John Walsh* asked, as the noble Lord proposed to proceed with the Reform Bill to-morrow, did he intend to proceed with the Committee of Supply on Tuesday?

Lord *Althorp* intended to propose they should go on with the Reform Bill on that day.

Sir *C. Wetherell* said, that if any Member would move an amendment, he would second it.

The *Speaker* put the question, that the House should resolve itself into a Committee on the Bill.

Mr. *Croker* said, that he wished to know what the noble Lord meant to do on the subject.

Lord *Althorp* said, that at two o'clock to-morrow he would move the Order of the Day for the House to resolve itself into a Committee on the Bill, and, in consequence, he would propose, that the House should not sit later to-night than twelve o'clock.

Colonel *Lindsay* said, that a certain degree of repose was absolutely necessary to enable Members to bear the fatigue to which they were subjected. He would take the sense of the House upon the question.

Mr. *Briscoe* complained that the time of the House was wasted in useless discussion; they had already been three hours employed in this way.

Mr. *Praed* thought, that the objection which the hon. member for Sudbury had urged against the course proposed by Ministers was cogent and insuperable. If it should appear from the state of the House to-morrow that it was impossible for the case of Sudbury to be impartially considered, he would resort to every legitimate means in his power to prevent the Committee from coming to a decision on that case.

Lord *Althorp* said, that any Member might take the decision of the House upon the question, when the Chairman of

the Committee should report progress, and ask leave to sit again.

Mr. *J. L. Knight* was of opinion, that it would be acting unfairly to proceed with the Bill to-morrow, because doubtless many professional and mercantile men had fixed upon that day for the transaction of business, upon the faith of the understanding to which the House had come, that the Bill should not be discussed on Saturday.

Mr. *D. W. Harvey* said, that Members whose professional avocations interfered with their duties in that House should vacate their seats.

Sir *G. Murray* was not actuated by any desire to delay the business of the House. His objection to the proposed arrangement was, that he never heard of it until the moment the noble Lord rose. If it had not been the Reform Bill, but any other measure which had been in progress, he should have considered the course proposed as equally objectionable.

Mr. *Attwood* said, that he would, to save the time of the House, move, as an amendment to the motion, "That the House do resolve itself into a Committee of the whole House, to consider further of the Reform of Parliament (England) Bill;" that "all the words after the word 'that' be left out," for the purpose of inserting "this House, at its rising, do adjourn to Tuesday next." The matter would thus be fairly brought to issue, and the time of the House and the strength of hon. Members would be saved. He was sorry that two hours, which might have been devoted to the discussion of the Bill, had been spent in trashy and useless debate.

The question having been put,

Sir *Henry Hardinge* said, he thought it necessary to suggest to his hon. friend the propriety of withdrawing the motion of adjournment to Tuesday, as Saturday was the day on which it was appointed to give the Royal Assent by Commission to the Queen's Dower Bill, and an adjournment over that day would have the appearance of disrespect. Whatever party feeling might exist in that House, there was but one feeling, and that a feeling of the highest respect, towards the exalted individual to whom he alluded; and he was convinced that his hon. friend would be the last man to persevere in any course which was liable to the objection just mentioned. He (Sir H. Hardinge) had intended to go into the county of Kent

on Saturday, and he knew that there were several Members who were anxious to leave town at the same time, but he could not, therefore, support the amendment.

Mr. *George Robinson* thought it would be advisable to adjourn till Tuesday, and he hoped the noble Lord would coincide in the suggestion.

Mr. *O'Connell* said, that the House ought to sit on Saturday, if it were only for the purpose of showing to the public that they sat every day. The public would doubtless hear of the delay which had already taken place that evening, unnecessarily and vexatiously protracted as it had been. They were aware of the general delay which had taken place, and he hoped they would strongly respond to the appeal of the advocates of the Bill in that House. It was the duty of the public, if the important business of the House was improperly delayed, to knock at its doors, and call, by petitions, for the consummation of the measure. A right hon. Gentleman had spoken of the sacrifice which he was willing to make by not going into the county of Kent on Saturday; but what a sacrifice were the Members of the Sister Kingdom making, without muttering a complaint, by leaving their professions and avocations for months. He hoped the noble Lord (the Chancellor of the Exchequer) would, by all means, persevere in his motion.

Mr. *J. L. Knight* said, that his observations did not apply to the personal convenience of professional individuals; but he had argued, and he would still argue, that the public were interested in the engagements of professional men.

Mr. *Praed* declared, that he should feel himself called upon to vote for an adjournment to-morrow, if it were proposed to disfranchise any borough which should appear likely to escape on farther examination. He was aware that it was unusual to persist in such a course, but cases might arise in which it was necessary to adopt it.

Lord *Stormont* knew several Members who were interested in the boroughs which were likely to come before the House to-morrow, and who had left town under the impression that no business would be done. Two days in a week was not too much to allow them; he, therefore, appealed to the noble Lord to alter his arrangements.

Mr. *Attwood* withdrew his amendment, declaring that, when the Chairman moved

to report progress, he would move, that he should ask leave to sit again on Tuesday.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWELFTH DAY.] The House resolved itself into a Committee—Mr. Bernal in the Chair.

The question was, "That the borough of East Grinstead stand part of schedule B."

Mr. *Cresset Pelham* was not one of the party who had been trained to cry out "the Bill, the whole Bill, and nothing but the Bill;" he, therefore, protested against the unconstitutional course now attempted to be adopted by his Majesty's Ministers, in unsettling all our ancient institutions. He was acquainted with East Grinstead, and could assert, that no people in the British empire were better entitled to have the elective franchise than the voters of that place, and it would be most unjust to deprive them of their privileges.

Question carried.

The next question was, "that the borough of Guildford stand part of schedule B."

Mr. *Denison* said, he was not opposed to the Reform Bill, as the House well knew, but was, in fact, an ardent friend to its principle, notwithstanding the observations which he should feel it necessary to make on this particular case. He had hoped that the noble Lord, the Chancellor of the Exchequer, and the noble Paymaster of the Forces, would have acceded to the request contained in a memorial which had been presented to them by the Corporation of Guildford on this subject; but as they had refused to accede to the representations which were contained in that memorial, it devolved upon him, as an imperative duty, to lay the facts before the Committee, and that duty he would perform with as much brevity as possible. In the short statement which he meant to make, he should say nothing whatever about the boroughs that were already disfranchised. He would only endeavour to make out such a case against depriving the town of Guildford of one of its Representatives, as would, he hoped, ensure him the support of the Committee. In so doing, he would not advert to the population of 1831, but would confine himself strictly to the census of 1821. He believed, however, that in the latter census a mistake, and a very great mistake, had

been committed; and he would read to the House a memorial addressed to his Majesty's Government by the Mayor and Aldermen of Guildford on this subject. The memorial set forth, that if the population of all the parishes which the said town comprised in 1821 had been enumerated, it would have appeared that the total amount of population at that time was 4,212 persons, although the return made it only 3,161. There were three parishes in Guildford—that of the Holy Trinity, that of St. Mary, and that of St. Nicholas; and Guildford, including these parishes, but excluding the rural population, extending two miles in the environs of the towns, had, in 1821, a population of 4,212. It was also to be observed, that the Guildford Magistrates had jurisdiction over the neighbouring parish of Stoke. Their jurisdiction extended, not only over the three parishes in Guildford, but also over the large parish of Stoke, and had extended over that since the reign of James 2nd. As to the number of 10*l.* houses and upwards, they were thus enumerated:—In those parts of the parishes of the Holy Trinity, of St. Mary, and of St. Nicholas, within the limits of the borough, there were 213:—in the villages adjoining the limits of the borough, but not in the town, there were thirty-seven:—in Spital-street and Chertsey-street, sixty-seven; which gave a return of 315 houses of 10*l.* a-year and upwards. Having thus stated the population of 1821—having pointed out the number of 10*l.* houses that Guildford contained—and also having shown, that the parish of Stoke was under the jurisdiction of the Magistrates of Guildford, he flattered himself that he had made out a case, so far as these points were concerned. The taxation amounted, in the parish of St. Nicholas, to 1,960*l.*, which exceeded the amount of taxation paid by any borough in schedule B. The town had returned Members to serve in Parliament from the 23rd of Edward 1st, and the right of election was in the freeholders and the freemen resident. Almost the whole town consisted of freeholds; five-sixths of the electors were freeholders, and one-sixth freemen. There was not, he believed, a purer elective body in the kingdom. It was not an obscure and distant village; it was the county-town of Surrey; and, as many hon. Members, and as all who ever travelled that road must know, it was highly respectable for buildings, wealth, industry,

and population. It was remarkable also for the beauty of the scenery and the fertility of the soil around it, and was daily advancing in prosperity. He was sorry to hear his hon. and learned friend, the Attorney General, speaking as he did the other night of county-towns. It did not, perhaps, become a person so humble and insignificant as himself, to offer an opinion on anything that might have fallen from a person of his high station and eminent talents, but upon that occasion he thought "He leaped his light courser o'er the bounds of space."

He would appeal to every hon. Member who heard him, whether they did not regard with something like affection the county-town so often visited in early life, the scene of so many pleasures, and of joyous intercourse with friends and acquaintance. He regretted that his two noble friends below him did not take this circumstance into consideration. They ought to be the last to do anything which had a tendency to demolish the county-towns. In conclusion, the hon. Member thanked the Committee for its attention. He threw himself on its justice, and would cheerfully abide by its decision, whatever it might be.

Mr. *Mangles* took the same view of the subject with the hon. member for Surrey. After what had fallen from his hon. friend, it was not necessary for him to trouble the Committee at any length. He merely wished to call its attention to the petition presented to the House, from the Mayor, Aldermen, and other inhabitants of Guildford, a fortnight before. The petition referred the House to the census taken in the year 1821, by which it appeared that the population of the parishes of St. Mary, St. Nicholas, and the Holy Trinity, within the borough, then amounted to 3,161; and that the parishes of the Holy Trinity and St. Nicholas, particularly the latter, extended to a considerable distance beyond the limits of the borough. The petitioners added, that "They believe that such population, added to that within the borough, would have made an aggregate number of 4,000; the petitioners also take leave to state, that the populous part of the parish of Stoke next Guildford, forms, to all appearance, a part of the town of Guildford, the boundary lines of the said parish of Stoke being occupied by houses which stand partly in the parish of the Holy Trinity, Guildford, and partly

in Stoke; and that the petitioners believe that such houses in Stoke, which immediately adjoin the town of Guildford, contained, in 1821, a population of upwards of 500, and was comprised in the number 1,120, returned by the census of 1821, as the population of the parish of Stoke." They stated, that the parish of Stoke was within the jurisdiction of the Corporation of Guildford, and that a great number of the owners of property in the town have also property in Stoke; and that the persons who live in Stoke, generally have property in the borough of Guildford. They also stated, "That there are now about twenty respectable houses built on a tract of land which is extra-parochial, but subject to the town jurisdiction (being the site of a priory or religious house), although the same land is near the centre of the town of Guildford, and such houses have not yet been comprised in any census or population returns; that the petitioners can with pride and satisfaction refer the House to the fact, that an uncorrupt freedom of election has always been preserved in the borough of Guildford, which has returned Members ever since the 23rd year of the reign of King Edward 1st, the constituency being confined to freemen, and freeholders resident in the borough, and paying scot and lot, and the whole of the property in the borough being freehold: that the petitioners can with pride also state, that the town of Guildford is largely increasing, both in population and in wealth, and the commerce which is carried on in the town is scarcely to be equalled by any town of the same extent in the empire." In conclusion, the petitioners humbly submitted to the consideration of the House, "That Guildford, being the county-town of a county which comprises a part of the metropolis, and the population of which does not fall far short, at the present time, of half a million, is fairly entitled to retain its ancient privilege of returning two Members to serve in Parliament, and they also submit, that eleven Members for the county of Surrey will not be an undue proportion, compared with the other counties of England." Under all these circumstances, he thought a case had been made out which would warrant the Committee in continuing to this flourishing and increasing town, its present right of sending two Members to Parliament.

Mr. *Norton* did not wish to take up the

time of the Committee, but he had a duty to perform to his constituents, which he could not neglect. He had been long and well acquainted with the borough of Guildford, and could bear testimony to the respectability, the independence, and purity of the electors. If all other boroughs were like this, there would be no occasion for disfranchisement. In place of becoming a victim, it was worthy of being made a model. Here it would be unnecessary to go far into any adjoining rural district to secure the required amount of population or 107. houses. All were to be found in the borough itself, and the parishes immediately adjoining and forming part of the town.

Mr. *Best* said, a large part of the population of the parish of the Holy Trinity was not included in the census of 1821. The population and number of 107. houses, if fairly taken in 1821, would have been quite sufficient to bring it within the line. He fully concurred in all that had been said of the purity and independence of the electors. No person who represented it since he knew the place, ever paid a shilling to an elector. It was no nomination borough, and had always been represented by honourable and independent men. He had no personal interest in offering these few words in its defence; they were drawn from him only by a sense of justice.

Lord *J. Russell* was sensible, that the hon. member for Surrey had done no more than his duty in bringing forward this case; but let him remind the hon. Member, that admitting, as the Government did, the respectability and wealth of the town, and all those other circumstances which the hon. Member had alleged as entitling it to a favourable consideration, —let him remind the hon. Member that, admitting all this, they were not about to disfranchise the town, but only to deprive it of one Member, and that, too, on the ground that the population, however respectable, did not amount to that number which had been fixed as the *minimum* of population which ought to return two Members. Upon this principle the Government and the House had proceeded with regard to other boroughs which were as equally favourably circumstanced as Guildford; and, after a careful consideration of this case, the Government had found, that they could not remove the borough from schedule B, without doing great injustice to other boroughs, or esta-

blishing some other rule, which, if they should do, still that other rule, whatever it might be, would not protect the House from claims of exception similar to those which were made under the present rule. Now, as he understood the circumstances of this case, the total population of the town was 3,723. This was all that could be made out. It was said, however, that there was another parish, adjacent to the town, which contained a population of 489; but he did not see, either in the memorial or the petition, any attempt to prove that the whole of these 489, or that any great part of them, were within the town. Unless this were proved, he could see no reason why Guildford should be made an exception to that rule which had been adhered to in the case of other boroughs. He had considered the subject attentively, and he could not perceive how these 3,723 could be made 4,000 by any addition of population resident within the town.

Sir *Charles Wetherell* said, that notwithstanding the audacity of the Press in attacking by name, and charging him with opposing delay to the progress of the Reform Bill—notwithstanding the petitions with which the House were threatened, and which certain hon. Gentlemen had thought proper to recommend—notwithstanding all such intimidations, he should fearlessly persevere, and continue to point out the anomalies of the Bill. Though he had been thus pointed at by name, he should again say, that he meant inflexibly to adhere to the course which his sense of duty had prescribed to him. Before he adverted to the circumstances of this case, he wished to allude to an observation of an hon. Gentleman opposite, who talked of the flippancy of Members in delivering orations which could answer no other end than that of procrastinating the passing of the Bill. He wished it to be recollected that such speeches were only delivered on the other side; or, if his name was to be traduced either in that House, or by that great moral instrument, the public Press, for no other reason than making long speeches, he thought his hon. and learned friend, the Attorney General, ought to share the same fate, and he was not quite sure but that the observation to which he had alluded as coming from the hon. Gentleman opposite, was meant rather for the Attorney General than for himself. To what had been said of him in the Press he

would not even condescend to give an answer ["*oh, oh.*"] Did the hon. Members who called out "*oh,*" mean thereby to intimate that they were prepared to maintain the ascendancy of the Press? ["*Question.*"] He should think, that that *incognito* outcrier who exclaimed "*question,*" had not yet been denounced by the Press, and when the Gentleman was so denounced, perhaps he would not call out "*question, question,*" but "*privilege, privilege.*" It was now admitted on all hands, that the returns upon which the schedules in the Bill were founded, were in many instances erroneous, and yet, when he or any other hon. Member pointed out those inaccuracies, they were instantly assailed with charges of unnecessary delay. He was glad to see the hon. member for Surrey acting independently of the Government, and bearing honourable testimony to the character of the inhabitants of Guildford; he was glad to see that hon. Gentleman setting an example of independence, and shewing that he was not at the beck of the Treasury. Such conduct he was glad to hold up for imitation to the hon. member for Worcester, who had joined in that senseless cry about delay, as if the Bill was perfect, and admitted of no improvement. When it was stated the parishes adjoining to Guildford did not form a part of the borough, it was right on his part to state, that he had a copy of the charter, and in that document, jurisdiction over these parishes had been distinctly given to the borough. He could not admit as valid the argument that, because Appleby had been disfranchised, therefore ought Guildford to be deprived of her privileges. The case of Appleby was, he thought, one of great hardship, and so was that of Bridport; but the case of Guildford was much stronger than either. The excuse in the case of Bridport was, that a river separated the town from the parish. What would the Committee think when he told them, that a lady might walk across through this stream (miscalled a river) without wetting her shoes? This great river was, in point of fact, nothing wider than a gutter; but, according to the impression sought to be conveyed by the Reformers, one would suppose it was another Vistula. Unfortunately for their cause, however, in the present instance, there was no Vistula at Guildford; nor was the case analogous to that of Chippenham. The testimony ad-

duced respecting Guildford called at least for inquiry, which he felt confident would shew, that in point of property and population, it was fairly entitled to its usual share in the Representation; but even if it had not the prescribed number of inhabitants, still he should feel serious alarm, and he was sure the county of Surrey would feel dissatisfaction, at finding the county-town as it were dismantled. This was the case in Westmoreland, Huntingdon, and Dorset, and now they came to the work of demolition in Surrey, in all of which the county-towns were to be razed like the fortresses in Belgium. But though the rasure of the fortresses might be popular there, the flippant, easy, unwarrantable rasure of county-towns in England by the Reformers, would disgust and alarm all the thinking people of this country. Though Mons might be razed, though Tournay might be razed—[cries of "*Oh.*"] Gentlemen need not be alarmed, he was not going to mix up foreign and domestic politics; but this he would say, that whatever might be the propriety or the impropriety of razing the fortresses of Belgium, yet it was intolerable and tyrannical that such towns as Dorchester and Guildford, should be subjected to the military rasure and proscription of the Cabinet. In all these proceedings there had been no regard paid to established rights, nor any fixed principle adhered to in performing the work of destruction. The principles of Ministers were random principles, or rather no principles at all. It was a proscription that was intolerable, and ought not to be tolerated. When Ministers had been told, that some of the cases included in the schedules were ones which, upon their own rule, ought not to be disfranchised, the answer was always, "*Point out the particular case, and the error shall be rectified.*" Then when he and other hon. Members brought under consideration the case of one borough, the answer again was, "*This is not the proper time; or this is not the proper case,*" and so had they gone on, night after night, again and again; but the occasion or the time had never arrived, nor did he think it ever would. He wished to know when the time would arrive at which the Ministers would receive, as they had promised to receive, before the House went into Committee, information respecting those boroughs which had been improperly put into the schedules. He wished to know this from

the noble Lord (Lord Althorp), though he thought he could make a pretty good guess at what the nature of that time was. He thought that in reading Dr. Clarke's Homer that morning, he had found out this time. Dr. Clarke was, as many Gentlemen were aware, very nice and particular in his divisions of time, and among those divisions he had one tense which he called the *paulo-post-futurum*. Now this time—this Greek time—this time so remote as to be a little removed even from the future—this was the time, he had no doubt, which the Gentlemen opposite had fixed for the reception of the evidence and information to which he alluded. That was a division of time that the learned Doctor said, looked a little beyond the horizon of futurity; in his opinion, the Ministerial adoption of that division did not peep an inch above the horizon. The Ministers said, they would not hear evidence on these boroughs; the Press said they ought not to hear speeches: between them both, therefore, no information was to be given, and yet both agreed that the boroughs were to be disfranchised. He trusted, that the Committee would pay proper respect to the statements of the hon. member for Surrey, than whom a man of higher honour or greater independence was not to be found, and who had laid before them a case in favour of this borough, on which they ought to pause before they proceeded to its disfranchisement. But inquiry, it seemed, was never to be given, but at a future time, a time indeed so future, that he feared the supporters of this borough's franchise would never find it arrive.

An *Hon. Member* could not conceive a stronger case than Guildford; the Old Manor House, in the parish of Stoke, was within the limits of the borough, and the whole formed but one town. Between this Manor House, the borough limits, and the part of Artington which was clearly within the town, there was a population of 552 and 489, which, added to the population of the town, made the whole in 1821 amount to 4,212. He felt bound, therefore, to vote against the disfranchisement of Guildford.

Sir *J. Scarlett* expressed a hope that, upon further consideration, his Majesty's Ministers would agree to take this borough out of the schedule. Of the town and its inhabitants a long residence in their vicinity enabled him to speak with

confidence, and he felt happy in being able to add his testimony, and join in the panegyric bestowed upon the place by the hon. member for Surrey. If called upon for his opinion as to the fitness of any towns to send Members to Parliament, he should have no hesitation in pointing out Guildford as a model for the rest of the kingdom. It contained within it all the elements of good constituency. There were to be found wealth, intelligence, and independence. The neighbourhood abounded in men of independent circumstances. It was a county and market town, possessed a large corn trade, and was increasing in wealth and business. If the opinion of the people of Surrey were taken on this subject, he was sure they would be in favour of giving Guildford two Members; and he was sure that great mortification would be felt throughout the county, when it was known that the town was to be even partially disfranchised. From his own experience he could state, that a purer state of Representation did not exist in any part of the country. The tradesmen of the town were respectable and independent, for most of whom it was not necessary, in order to live independently, to continue in business. He could assure the House, that such a thing as bribery was not known there, and he felt confident that no power of money would induce the electors to give votes that did not accord with their own opinions and feelings. Under these circumstances, he still hoped, that the noble Lord would exclude this borough from the schedule. He was free to acknowledge, that what was strictly called the borough, did not contain the required number of inhabitants, but then those parts of St. Nicholas, and Holy Trinity, and Stoke, which had been spoken of, were essentially part of the town; and the population of those places, added to that of the borough, would bring it within the rule which saved other boroughs. It was also to be recollected, that there were twenty houses in the borough which were not included in the returns of 1821. There was also the outskirt of Artington, with a population of 489 persons, which ought to be included in the population of the borough. Altogether, within a circuit of less than half a mile from the centre of the town, there existed a population of upwards of 4,000, and in common justice, therefore, and in accordance with the line laid down by the

Bill itself, he contended that Guildford should be taken out of this schedule. This case, he thought, almost in every respect resembled that of Truro, which was saved, and he hoped to see the same justice done to Guildford.

Lord *Althorp* thought the case before the Committee was precisely similar to that of Dorchester, which had been disposed of the day before, and he saw no reason why a distinction should be made in favour of Guildford. The question was, not whether the addition of some parts of adjoining parishes would entitle this place to have two Members, but whether it was consistent with a great principle of the Reform Bill, and whether it was such a town as, compared with other great towns in England, deserved to have a double share in the Representation of the country. As to what had been said about inquiry, he thought it was wholly unnecessary in this case, as there was not any the slightest dispute about the facts stated; so that, the facts being admitted, a decision might be had without the inconvenience and delay of inquiry. He did not think the place entitled, according to the principle laid down in the Bill, to have more than one Representative, and therefore he would not consent to have it removed out of the schedule.

Sir *James Scarlett* wished to remind the Committee, that in this case there would be no necessity for hunting about for a rural population. There could be no question but that the addition of the adjoining houses would give Guildford the required amount of population.

Mr. *Pearse* thought, the hon. member for Surrey had made out such a clear case for the borough, that he should vote for its being removed from schedule B, and allowed to continue to return two Representatives.

Mr. *Denison* wished again to remind the Committee, that the question before them lay in a small compass. It was on all sides agreed that the population of the parishes of St. Mary, the Holy Trinity and St. Nicholas, all within the limits of the borough, amounted to 3,161 that in Stoke, there were 562, and in other parts of the parishes named 489 which would make the town population above the required number. There would also be a greater number of 10L. houses than was required by the Bill.

Sir *E. Sugden* felt great pleasure in ob-

serving, that whenever any of the Gentlemen opposite had felt it necessary in their own particular cases to defend any of the condemned boroughs, they always employed the arguments used on his side of the House in opposition to disfranchisement. This was the case that evening with the hon. member for Surrey, who did himself great credit in opposing the disfranchisement of so respectable a constituency as that of Guildford. This, however, made no great difference to him (Sir E. Sugden), as the arguments were equally good from whatever quarter they might be delivered. It did appear to him that the noble Lord the Chancellor of the Exchequer, was in error when he compared the case of Dorchester to that of Guildford. It was true, he thought the former place had been hardly dealt with, but then there were features in the present case which made it a still greater injustice to deprive this place of one of its Members, Bridport, too, had been decided on other grounds; but Guildford combined all those advantages which had been so forcibly put forth to induce Ministers to exclude Dorchester and Bridport from the schedule; and, in addition, it had other claims to preserve its Representatives. Here was what every person knew to be a flourishing town, the capital of the county, and an extensive market, a sufficient population, and its wealth, proved by the test of taxation, together with a sufficient number of houses, and an intelligent and honest constituency. It had been stated to the Committee on authority that could not be doubted, that the houses which were proposed to be included in future in the borough had been always supposed to form a part of it; nor did some of the oldest inhabitants know the exact boundaries, so completely did those houses form a part of the town. Of these houses some were built on the very bounds of the parishes and boroughs, and, if excluded from the borough, they would be in the anomalous situation of belonging to neither. If Parliament really wished to give a tone of importance and independence to the constituency of England, he would ask what better opportunity they could have, than that of giving Members to such constituents as those of Guildford? At that place were to be found a sufficient number of 10L. householders, without the necessity of searching for them by means of a riding commission. The Every circumstance connected with Guild-

ford tended to bring it within the rule which saved other boroughs. But it had been said, that Dorchester had not been allowed this privilege. Now he would ask whether the Committee would abandon a broad principle, merely because it might in some measure trench upon a rule laid down in the case of another borough?—That would be neither just nor consistent. There was one point upon which he wished to be informed, and probably he might get the information from the noble Lord the member for Devonshire, and who, on a former evening, made some remarks on the duties to be performed by the Commissioners under this Bill. What he wished to know was, whether the Commissioners, in making additions to towns were to take in the whole of the adjoining parishes, or only a sufficient part to make up the fixed number of constituents? If it was only a part, he should like to know whether they were to have a discretion, or whether they were to take their instruction from higher quarters? These he thought were important points, and upon which the House must have some information.

Mr. *Hughes Hughes* felt a great interest in the welfare of Guildford, and he regretted extremely that his Majesty's Ministers did not give that important town the benefit of their own rule, by which in justice it ought to be taken out of schedule B, and retain its right of sending two Members to the Legislature.

Sir *John Brydges* said, the case made out by the hon. member for Surrey completely established the claim of this borough to the same indulgence, or rather right, which had been allowed to others. Yet they were told, that because Dorchester was not allowed two Members, Guildford was only to have one. Was that fair? What would be thought of a Judge who, in passing sentence upon criminals (for these boroughs were treated as criminals) would leave altogether out of consideration their different shades of guilt? Would it not be right in such cases to take into account circumstances of mitigation, and not punish all indiscriminately? It would, he thought, be gross injustice to disfranchise this borough, and he did not hesitate to say, that the disfranchisement of those county towns would make a great impression throughout the country; and if the objections made against their disfranchisement did not make an impression upon the other side of

the House, he was sure they would at least open the eyes of the country.

Mr. *Hunt* said, that Guildford and Calne did not deserve to be named together on the same day, and that if Calne were entitled to have two Members, Guildford would be entitled to have six. When the proper time should come, he would certainly move that Calne be put in schedule B at least. He said "at least," for he was of opinion that Calne should be disfranchised altogether, as an infamous nomination borough. He thought, that Guildford was fairly dealt with in this instance, for it surely was not entitled to have as many Members as such places as Westminster and Manchester.

Mr. *Pusey* said, there had been much inconsistency and confusion caused by the manner in which Ministers applied one principle or rule to one head, and a different one to another place. They began by applying the principle of population to two places at the bottom of a schedule, and then they applied the principle of property to boroughs at the top of the list. What he wished was, that Parliament should adopt some fixed principle, and adhere to it.

The Committee divided; Ayes 253; Noes 186—Majority 67.

List of the AYES.

Acheson, Lord	Bulwer, H. L.
Adam, C.	Bulwer, E. L.
Althorp, Viscount	Burdett, Sir F.
Astley, Sir J. D.	Burke, Sir J.
Atherley, Arthur	Burton, H.
Baillie, J. E.	Byng, G.
Baring, Sir T.	Calcraft, G.
Baring, F. T.	Calley, T.
Barnett, C. J.	Campbell, W. F.
Bayntun, S. A.	Carter, J. B.
Belfast, Lord	Cavendish, Lord G.A.
Benett, J.	Cavendish, H. F. C.
Berkeley, Captain	Cavendish, C. C.
Bernard, T.	Chapman, M.
Blake, Sir F.	Chaytor, W. R.
Blamire, W.	Chichester, Sir A.
Blount, E.	Chichester, A.
Blunt, Sir R. C.	Chichester, J. P. B.
Bodkin, J.	Clive, E. B.
Bouverie, Hon. D. P.	Colborne, N. W. R.
Boyle, Hon. J.	Cradoek, S.
Brayen, T.	Creevey, T.
Briscoe, J. J.	Currie, J.
Brougham, W.	Curteis, H. B.
Brougham, J.	Dawson, A.
Brown, J.	Denman, Sir T.
Browne, D.	Dixon, J.
Brownlow, C.	Dundas, Hon. Sir R.
Bulkeley, Sir R. W.	Dundas, Hon. J. C.
Buller, J.	Dundas, C.

Easthope, J.	Langton, W. G.	Langston, J. H.	Tavistock, Marquis of
Ellice, E.	Lawley, F.	Power, R.	Tennyson, C.
Ellis, W.	Leader, N. P.	Poyntz, W. S.	Thicknesse, R.
Etwall, R.	Lee, J. L.	Price, Sir R.	Thompson, Alderman
Evans, W.	Lefevre, C. S.	Protheroe, E.	Tomes, J.
Evans, W. B.	Lemon, Sir C.	Pryse, P.	Torrens, R.
Evans, De Lacy	Lennard, T. B.	Ramsbottom, J.	Townshend, Lord C.
Ewart, W.	Lennox, Lord A.	Rice, Hon. T. S.	Traill, G.
Fergusson, Sir R.	Lennox, Lord W. P.	Rickford, W.	Troubridge, Sir E.
Ferguson, R.	Lennox, Lord J. G.	Rider, T.	Tyrell, C.
Ferguson, R. C.	Lester, B. L.	Ridley, Sir M. W.	Venables, Alderman
Fitzgibbon, Hon. R.	Lloyd, Sir E. P.	Robarts, A. W.	Vernon, Hon. G. J.
Foley, Hon. T. H.	Loch, J.	Robinson, Sir G.	Vincent, Sir F.
Foley, J. H.	Lopez, Sir R. F.	Robinson, G. R.	Waithman, Ald.
Folkes, Sir W.	Lumley, J. S.	Rooper, J. B.	Walker, C. A.
Fox, Col.	Littleton, E. J.	Ross, H.	Warburton, H.
French, A.	Maberly, J.	Russell, Lord J.	Wason, R.
Gillon, W. D.	Maberly, W. L.	Russell, John	Watson, Hon. R.
Gisborne, T.	Macauley, T. B.	Ruthven, E. S.	Webb, E.
Gordon, R.	Macdonald, Sir J.	Sandford, E. A.	Westenra, Hon. H. R.
Graham, Rt. Hn. Sir J.	Mackenzie, J. A. S.	Scott, Sir D.	Western, C. C.
Graham, Sir S.	Mackintosh, Sir J.	Sheil, R. L.	Weyland, Major R.
Grant, R.	Macnamara, W. N.	Skipwith, Sir Gray	Whitbread, W. H.
Grattan, J.	Marjoribanks, S.	Smith, J.	White, H.
Greene, T. G.	Marshall, W.	Smith, J. A.	White, S.
Guise, Sir E. B.	Martin, J.	Smith, G. R.	Whitmore, W. W.
Gurney, R. H.	Maule, Hon. W. R.	Smith, M. T.	Wilks, J.
Handley, W. F.	Mayhew, W.	Smith, V.	Williams, W. A.
Harty, Sir R.	Milbank, M.	Spencer, Hon. F.	Williams, Sir J. H.
Harvey, D. W.	Mildmay, P. St. J.	Stanhope, R. H.	Williamson, H.
Heathcote, Sir G.	Mills, J.	Stanley, Lord	Willoughby, Sir H.
Heneage, G. F.	Milton, Lord	Stanley, Hon. E. G. S.	Winnington, Sir T. E.
Heywood, B.	Moreton, Hon. H.	Stanley, J.	Wood, Alderman
Hill, Lord G. A.	Morrison, J.	Staunton, Sir G.	Wood, J.
Hobhouse, J. C.	Mostyn, E. M. L.	Stewart, P. M.	Wood, C.
Hodges, T. L.	Mullins, F. W.	Strickland, G.	Wrightson, W. B.
Hodgson, J.	Noel, Sir G. N.	Strutt, E.	Wrottesley, Sir J.
Horne, Sir W.	North, F.	Stuart, Lord D. C.	Wyse, T. jun.
Hort, Sir W.	Nowell, A.	Stuart, Lord P. J. H. C.	
Hoskins, K.	Nugent, Lord	Stuart, E.	TELLER.
Howard, R.	O'Connell, D.	Talbot, C. R. M.	Duncannon, Viscount
Howard, P. H.	O'Connell, M. D.		
Howick, Lord	O'Ferrall, R. M.		
Hudson, T.	Offley, F. C.		
Hughes, W. H.	O'Grady, Hon. S.		
Hughes, Colonel	O'Neil, Hon. J. B. R.		
Hughes, J.	Ord, W.		
Hunt, H.	Osborne, Lord F. G.		
Hutchinson, J. H.	Paget, Sir C.		
Hawkins, J.	Paget, T.		
James, W.	Palmer, C.		
Jeffrey, Right Hon. F.	Palmer, C. F.		
Jephson, C. D. O.	Parnell, Sir H. B.		
Jerningham, Hon. H.	Payne, Sir P.		
Johnston, A.	Pelham, Hon. C. A.		
Johnston, J.	Pendarvis, E. W. W.		
Kemp, T. R.	Penlease, J. S.		
Kennedy, T. F.	Penrhyn, E.		
Killeen, Lord	Perrin, L.		
King, E. B.	Petit, L. H.		
Knight, H. G.	Petre, Hon. E.		
Knight, R.	Philipps, Sir R. B. P.		
Knox, Hon. J. J.	Phillips, C. M.		
Knox, Hon. J. H.	Philips, G. R.		
Labouchere, H.	Ponsonby, Hon. B. W.		
Lambert, H.	Ponsonby, Hon. G.		
Lambert, J. S.	Powell, W. E.		

The question "that the borough of Helston stand part of schedule B" was agreed to.

On the question "that the borough of Honiton stand part of the schedule,"

Sir G. Warrender rose, he said, to pronounce a short funeral oration over the borough of Honiton. He should occupy the Committee but a few moments, and it was not his intention to ask for a division. Honiton was a flourishing town, containing very nearly 600 electors at present; it had above 300 10^l. householders, and many of his constituents were gentlemen of education, attainments, and independence. There was not a borough in the kingdom which less deserved to be called a close or nomination borough than Honiton. Property was so equally divided, that no individual in the borough could command five votes. After the decisions which the Committee had come to in other cases, he felt, however, that he had no chance of procuring its exemption.

During the reign of despotism in a neighbouring country, there was a court called a *Lit de Justice*, and he thought the House was, night after night, erecting itself into a court of injustice to convict innocent and unoffending boroughs. The House was only registering the edicts of the Government. But he hoped some change was at hand : one member said, that Appleby was a hard case; another said, that Saltash was a hard case, and Ministers themselves had felt so; and this very day, more than one Member, as respectable as any in the House, had told him (Sir G. Warrender), that though they had voted against Dorchester, they thought it as hard a case as any in the schedule. "But," said they, "we are pledged to support the whole Bill" [*cries of "name," from the Ministerial benches.*] No, he would not name those Members; for though he thought it perfectly justifiable for a Member to state, on his word of honour, a fact of this kind, he did not think it honourable to divulge names. He was convinced that if schedule B was persevered in, it would be the ruin of the Bill; but he was persuaded, it would not be persevered in, notwithstanding the hustings' jargon of "the Bill, the whole Bill, and nothing but the Bill." It was consolatory to him to think, that there was a place elsewhere, which was intrusted with a wise jurisdiction, and which, when acts of spoliation had been attempted in other Parliaments, had protected the rights of individuals. He looked to that other place, where private wrongs were redressed, in the full hope that justice would be done in a case of public wrong; that in the exercise of a wise discretion, it would grant to the aggrieved subjects of this country that security and protection which it had heretofore afforded in cases of private injury. Such conduct would rescue Parliament from the scandal of passing such a measure as the present. He concluded by expressing his gratitude to the electors of Honiton for the pure and honourable support they had given him at the last election.

Mr. *Gisborne* (who spoke from the gallery,) said, that when the right hon. Baronet referred to the registering of edicts in a neighbouring country, and implied that the House was registering the edicts of his Majesty's Government, he begged to say, that his Majesty's Government was registering the edicts of the country. On

a late occasion, 150 staunch reformers had refused to follow his Majesty's Government. The House followed the Ministers only in the sense in which the King followed Madam Blaize :—

"The King himself has followed her,
When she has walked before."

The Ministers were obliged to follow the opinion of the people on this subject. He had given his vote against Dorchester, because no case was made out, to show that it was above the line of population laid down, and not because Ministers refused to take it out of schedule B. Many other Members, no doubt, voted on equally independent grounds; and he therefore trusted that, in future, the hon. Baronet would refer, not to private conversations with Members, but to those Gentlemen's votes.

Sir *George Warrender* had not alluded to the hon. member for Stafford, nor to any one directly; he merely said, that several Members had expressed the sentiments he had mentioned.

Mr. *Perceval* thanked the hon. member for Stafford (Mr. *Gisborne*) for his testimony, that the House was not led by Ministers in this measure, but was blindly following the popular cry. The moment Ministers opposed the popular cry, be it ever so wild and wicked, he firmly believed that all their present strength would melt away.

Question agreed to.

On the question, "that Huntingdon form part of the schedule,"

Colonel *Peel* said, that after what had occurred last night, whatever might be the merits of the case, or whoever might be the advocate, it was perfectly useless to state any objections. If the place was within the line, the noble Lord opposite said, it was against the spirit of the measure to exempt it; and if the numbers were small, and the spirit of the measure was not violated, the noble Lord intrenched himself within his line. Huntingdon was so exactly like Dorchester, that not even the talents of his hon. colleague could induce the House to come to a different conclusion. It paid as much, nearly, to the assessed taxes as any borough in schedule B. It was not merely the county-town, but the only borough in the county. If there had been only two schedules, A and B, he should then have had not a word to say; but when there was a schedule E, he did

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wonder that it did not occur to the noble Lord to unite Godmanchester to Huntingdon, as he had united Penryn to Falmouth. He appealed to any person who had visited it, whether, in travelling along, it was possible to distinguish Godmanchester from Huntingdon. He had only further to remark, that in 1824, or 1825, the inhabitants of this borough had established their rights before a Committee of the House, at great expense. With these remarks, he should only express his hope, that in another place, and before another tribunal, the Members of which were not pledged to support the propositions of Ministers, by the penalty of losing their seats, justice would be done to this borough, as well as to Honiton, Dorchester, and others.

Mr. *James* observed, that the question was, whether this place should have one Representative, or Lord Sandwich should return two persons to Parliament. They were not taking a Representative from Huntingdon, but they were giving it one.

Lord *Milton* had some local knowledge of the places mentioned, and did not think Godmanchester so contiguous to Huntingdon that the House would be justified in retaining two Members for the latter place.

Question agreed to.

The borough of Hythe was inserted in the schedule without remark.

The next question was, "that Launceston stand part of the schedule,"

Sir *John Malcolm* would, in future discussions, say no more respecting the principle of the Bill than the particular case under discussion might require. Launceston was a county-town, in which the Assizes had been held for the last three centuries; and it was situated, from accidental localities, in five different parishes. The borough itself included the whole of two of those parishes, and a part of each of the other three. Including those portions of the three parishes, the population of the whole town would be 4,140. As Newport, which might be regarded as forming a continuous street with Launceston, had been put into schedule A, he thought, that the disfranchisement of the former was an additional reason for the preservation of two Representatives to the latter, uniting it with Newport. Taking the two places together, they had, according to the returns of 1831, a population of 5,117 persons. He knew, that it was useless to state those facts to the Com-

mittee, after the little attention which he had seen paid to the claims and rights of the county-towns of England. He had examined the list of Members sent into that House by the borough of Launceston, and he found, that it included the names of the highest, and best, and wisest families in the country. For the last 150 years, the great majority of the Members for that borough had been persons of distinction, connected with the county of Cornwall. He knew that argument was useless on the present question, as the Ministers were adopting the system which was followed formerly on the borders of his (Sir John Malcolm's) own county, and were administering Jedburgh justice to those boroughs; that is, they were going to execute them first, and try them afterwards. He could not conceal his dread of the principle of the Bill, which he considered one of change. If it passed, the towns might be attacked again. They would then have no prescriptive rights, and all would be swept away. If the Bill did pass into a law, his hope was, that the constituency might return men to support the glory of the country, which the measure, in his opinion, would subvert. He should not, however, press the question to a division, but would leave that to the judgment of his hon. and gallant colleague.

Sir *Henry Hardinge*, being called on by his hon. friend, would recommend him not to divide the House, as he and every Member on that side must have been convinced before now, that it was useless to appeal to the justice of a pledged majority, and such a pliant majority as they had that night seen. He was convinced that there were not twelve Members of the House who rightly understood the Bill, the principles of which were so elastic, that the noble Lord who had introduced it could make them fit any case, in whatever way he chose to apply them.

Lord *Althorp* said, it could not be denied that Launceston came within the principle of the Bill; therefore it was unnecessary to trouble the House with any observations.

Question carried.

Liskeard being proposed next,

Lord *Eliot* rose to state, that the borough was an increasing and improving market-town. It had not a population of 4,000 in 1821; therefore, he would not contest the point. The 10*l*. voters would not be more than ninety-five, and a new

assessment would not, probably, add more than twenty or thirty to that number. A document on the Table reckoned such houses to be about 160, but this he believed to be an exaggerated statement; it was, therefore, clear that a constituency must be made upon the adjoining rural districts. The low rents on agricultural districts, made the 10*l.* qualification there a very different standard from the same sum in manufacturing and large commercial districts. The population of Liskeard, by the census of 1831, amounted to 4,040, and he hoped to receive the same support from the new constituency as he had from the freemen. He felt conscious of having done nothing to forfeit their esteem, and the support he had invariably received. He gave his testimony in favour of the respectability of the borough.

Question carried.

Lyme Regis, also, was voted part of schedule B.

On the question, “that Lymington do stand part of the schedule,”

Mr. Croker addressed the Committee. The right hon. Gentleman observed, that on a former day he evinced a desire to bring under consideration, the peculiarities of the boroughs of Helston and Lymington. On the occasion to which he alluded, he said, he took the opportunity of speaking upon these boroughs because it appeared to him, that there was one principle which applied to both—namely, the principle which had removed Truro from schedule A. With a view to ascertain the sense of the House on the subject, he took a division on Cockermouth. The sense of the Committee was against him, and he did not repeat the division. Having in this instance reminded the House that Lymington was in a situation similar to Cockermouth, it would convince them that he had no desire to renew a former investigation.

Mr. Mackinnon said, that after the discussion of yesterday, on the borough of Cockermouth, it was unnecessary for him to repeat the arguments in favour of the place that he had the honour to represent; the cases were similar, and the arguments applied to one, applied equally to the other. The case of Cockermouth had been yesterday so ably discussed by his right hon. friend, the member for Aldeburgh, that it was useless to repeat them again. The funeral oration just pronounced by

the hon. member for Honiton, and by his hon. friend (Colonel Peel) on the respective places they represented, would render it useless for him at that late hour to say much on the same subject; it would prove to the noble Lord and the Gentlemen around him, on the opposite side of the House, as “tedious as a twice-told tale, vexing the ears of a drowsy man.” However, out of respect to his constituents, and from the hardship of the case, as far as the borough he represented was concerned, he must, in the strongest manner, protest against the motion of the noble Lord. It appeared, that Christchurch was to return two Members, and Lymington was to lose one. Now, the population of the latter place amounted, in the whole parish, to 5,600, whilst that of Christchurch was little more; the number of houses of 10*l.* rent and upwards in Lymington was 295, and in Christchurch, a little above 300. The wealth, however, of the two places, if it could be ascertained by the assessed taxes, was much in favour of the place that sent him to Parliament. The amount of assessed taxes paid by Lymington in the year 1830 was 1,076*l.*; the amount paid by Christchurch was only 557*l.*; yet, while the former place lost one of its Members, the latter was to retain both. Could any thing be more preposterous or more absurd? Could any argument prove the absurdity of the Bill more strongly? Fully aware of the sentiments of the majority of the Committee, and satisfied that arguments or opposition were equally useless, he should say nothing more than protest in the strongest manner against the arbitrary proceedings of that night. He did this as a duty towards the highly respectable individuals who were his constituents, and for whom he entertained the highest regard.

Question carried.

It was then moved, “that the borough of Maldon do stand part of schedule B.”

Mr. Dick said, the preamble of the Reform Bill was deficient in one material point. It stated, that it was intended to grant privileges to large and populous places, but it did not add, “and to deprive several persons of those privileges they now enjoyed.” He should propose such an amendment at the proper time; he was uncertain whether he could make any impression on the House, yet he could not avoid stating, that the borough he had

the honour to represent was highly respectable. The voters were, in 1826, 3,119; there were at the present time, 4,000, in which number was included, 223 Magistrates, clergy, and gentry, 1,500 farmers and tradesmen, and 1,380 labourers and mechanics. They were as honourable as any class he had ever met. He admired the diversity of the existing franchise, which was a great connecting link that wound the various orders of society together. Maldon was the principal port of Essex, and contributed largely to the public purse. The population amounted, in 1821, to 3,198, and in 1831 to 3,831; the number of houses was 606, and those of the value of 10*l*. 22*s*; upwards of 1,500 non-resident freemen of Maldon would be cut off, but the pot-wallopers of Preston and Westminster were to remain; this was very unfair. He had to remark, that a petition was presented by his hon. colleague, containing 545 signatures, but he had understood that some of those represented persons who were dead.

Mr. *Lennard* said, he should not have presented the petition unless it had been regularly signed. The petitioners had come forward to state, that they were ready to sacrifice their valuable privilege in support of a great principle, intended for the benefit of the country at large. He regretted the sacrifice required from the borough; but, looking at it as the effect of a great plan for the general benefit, he could not refuse to concur in the motion. It was a great satisfaction to know, that the majority of his constituents were willing to make the sacrifice.

Mr. *Western* was well acquainted with the borough, having represented it twenty years. He should be glad to find any facts to justify him in excluding it from schedule B, but he knew it could not be taken out of that clause. He was anxious to give a vote in favour of the borough, but was afraid he could not do so consistently with the principle laid down by Ministers. The population of the borough was 3,350—it was not a nomination borough, and the inhabitants were most respectable. The out-voters, he was also bound to say, were respectable. Independent of the borough, there was another place adjoining to it—namely, Heybridge, which had a population of 800, which, with the population of the borough, would make the population altogether amount to

more than 4,000. In the contest of 1826, the then Members expended no less a sum than 40,000*l*. He believed it was a very dear borough to some hon. Members.

Colonel *Sibthorp* said, he felt much for Maldon, but certainly more for Lincoln. And with such a Jury as the present, there could be no doubt of the effect. He had been solicited for that borough, though he was glad he had not accepted the invitation. It was clear, that Maldon was not a nomination borough—no bribery was proved against it—and his strong objection to the disfranchisement of the borough was, that it reduced the proportion of Representatives for Essex; while the county of Durham was most shamefully preferred, even according to the average of the two counties. He cared neither for frowns nor smiles, and if the Committee divided upon the subject, he would oppose the motion.

Sir *F. Vincent* wished to know if the two new county Members which Essex was to receive, while Harwich was to be thrown open, would not counterbalance the loss the county would experience by the partial disfranchisement of Maldon?

Mr. *Cresset Pelham* considered, that injustice was done to the borough of Maldon, and he contended there was a sufficient constituency in that borough to entitle it to two Representatives. The House would deal harshly with the borough if they agreed to this motion.

Sir *Charles Wetherell* begged to acquaint the Members who had just come in, that this was was not a question as to rotten boroughs. Maldon had a population of 3,350 persons. Unfortunately, a river divided it from other parishes, and thence it was to lose one Member, which he considered to be unfair. He was once asked to look at Maldon, to use a military phrase, but he only looked at it from a distance. He believed the noble Lord had been guilty of injustice, for, *à priori*, he must consider that the noble Lord was aware of the objects of the Bill. There were 500 resident freemen, and the right to vote was communicated with facility; consequently, there were many non-residents, and the principle of the Bill was to disfranchise those. He would not go into the case of non-residents at present, but he objected in this, as in every other case, to the disfranchisement of freemen.

Mr. *Hunt* observed, that the line proposed was a very elastic one. It might

farther be said, that it had a slip-knot at the end, and would strangle a proper as well as an improper borough—either Gatton, with no electors, or, as in this instance, Maldon, with 4,000 or 5,000 inhabitants.

Mr. Alderman *Waithman* said, it was quite lamentable that such lengthened discussions should take place, when all knew that the borough of Maldon was for many years decidedly corrupt.

Mr. *D. W. Harvey* said, that he was one of the burgesses of Maldon, and he did not think it so corrupt as had been stated. Large sums were necessarily expended in bringing the out-voters from a distance, and not for the purposes of corruption.

Mr. *Dick* said, he never found any corruption in Maldon. He had never given bribes himself, nor did he think his agents had. He was as incapable of offering as of taking them. The enormous expense was chiefly caused by bringing up such an extensive constituency.

Sir *Charles Wetherell* said, that the worthy Alderman had been so accustomed to hear of corruption in the city of London, that he believed it to exist elsewhere. He must really have learnt the phrase by heart, for it was always on his lips.

Mr. *Western* felt himself bound to deny the existence of corruption in Maldon. He had been acquainted with the borough many years, and had represented it formerly. The expenses of its elections were undoubtedly large, but, as had been already observed, they were incurred for the purpose of bringing up out-voters, and not for bribery and corruption.

Mr. *Lennard* defended the purity of the conduct of the electors of Maldon. From the extent of the constituency, bribery was out of the question.

Mr. Alderman *Waithman* merely wished to observe, that the expense of a contested election at Maldon usually amounted to between 20,000*l.* and 30,000*l.* The Committee would, therefore, draw their own conclusions.

Question carried.

On the question, “that the borough of Malmesbury do stand part of schedule B,”

Lord *Althorp* moved, that the further proceedings of the Committee be deferred, and that the Chairman do report progress.

On the Chairman putting the question,

Sir *Robert Peel* wished to have some understanding with the noble Lord, the

Chancellor of the Exchequer, as to their sitting to-morrow. He thought they had better go on to the usual hour (it was then half-past twelve) that evening, and adjourn over, as usual, to Monday. Besides, that the noble Lord's Motion took them all by surprise, it was contrary to an understanding which he had had with the right hon. the First Lord of the Admiralty, respecting the progress of the Bill. Unless some hours of relaxation were afforded hon. Members, it would be physically impossible to do justice to the important measure before the House. The proposal for sitting to-morrow was, moreover, a direct violation of the noble Lord's own former arrangement, to which the House had assented; and he had little doubt that many hon. Members, relying on that arrangement, had paired off that evening, and gone into the country for the purpose of obtaining a little necessary recreation.

Lord *Althorp* replied, that the House had been so full when he had first intimated his intention of proposing to sit to-morrow, that it was very unlikely hon. Gentlemen would be taken by surprise, as the right hon. Baronet apprehended. He should certainly persevere in his proposition, thinking it but fair that they should devote another day to the Reform Bill, as it was understood that the House would not sit on Monday, and it ought also to be recollected, that a considerable portion of that evening had been engrossed by the Dublin election petition, which was so far a drawback on the progress of the important measure under consideration.

Sir *Robert Peel* said, Ministers were as fully aware a week since as now, that it was his Majesty's intention to open London Bridge. There was ample time, therefore, to have given notice of the intention to sit on Saturday.

Lord *Althorp* admitted this, but the discussion on the Dublin election Committee this evening had consumed so much time, that he should certainly persist in his proposition for the House to meet to-morrow.

Mr. *Perceval* thought, that there was no absolute necessity for such precipitation. The measure itself required the utmost deliberation. Did the noble Lord, relying on the powerful majority behind him to cheer him on, propose to wear out the comparatively few Members who were striving to do their duty by their constituents and the country?

Sir Henry Hardinge said, they had already consumed more time in debating the noble Lord's proposition, than they should make up by sitting to-morrow. This attempt would exasperate all parties, and prejudice the future discussions on the Bill. He therefore implored the noble Lord not to urge them to extremity.

Mr. Attwood would not then divide against the noble Lord's proposition, but to-morrow he would resist going into the Committee. Such conduct was most unfair.

Lord Valletort was sure the noble Lord would meet much opposition, and therefore implored him not to press the proceeding.

Sir George Murray objected to such an important motion being brought on without notice. The time lost by the discussion on the Dublin election might be made up by sitting two hours later to night. He was willing to make any sacrifice to attend his duty, but he saw no necessity for meeting to-morrow.

Mr. C. W. Wynn regretted, that the noble Lord should persist in a proposition that his own judgment condemned. If his noble friend were sitting on the Opposition benches, he would be one of the first to resist such a proposition; and he hoped, therefore, that his noble friend would not drive the Opposition to have recourse to those arms by which they might yet defend themselves.

[No hon. Member on the Ministerial side rose to address the Committee; and the only reply given to the hon. Members who expressed themselves adverse to sitting on Saturday, was a loud and general cry of "Divide, divide!" as each sat down.]

The House resumed. On the Chairman asking leave to sit again the next day,

Mr. Perceval wished to know plainly and clearly, whether it was intended that the noble Lord would proceed with the Reform question to-morrow or not? Why precipitate a question like the present? The opponents of the Bill could have no hope of success, and being, as far as he was individually concerned, broken down in spirits, in mind, and body, he really required some repose.

Lord Althorp said, that the Committee had already occupied eleven days, and had not yet gone through schedule B. He, therefore, thought that they were bound to get on as fast as they could, consistently with fair discussion.

Sir Robert Peel said, that the proceedings on the Bill ought also to be consistent with justice; for his own part, he neither could nor would be in his place on Saturday.

Mr. George Bankes suggested, that the House might do, as in former times, when Committees sat in the evening after business was concluded.

Sir Henry Hardinge reminded the noble Lord, that it was necessary that the Government should retain the character of fairness and uprightness. They had already lost four hours in debating the question. The Opposition had at present a very favourable opinion of the noble Lord, but if he departed from his character for fairness, he would find hereafter that this opinion and the feeling of the Opposition would be decidedly different.

Sir Charles Wetherell said, that if the noble Lord did not behave fairly, if he departed from the understanding entered into with the Opposition, he would show that he had sacrificed his independence as a Minister to the domination of the Press. The Press wanted to usurp the power of the Ministry. Any man who read the newspapers must know, that the Press threatened that House and the Members who sought to do their duty. His hon. friend said, he was weary in body, and heart-broken: he was heart-whole, because he was informed that the Reform Bill, by the examination it had received in that House, was going backwards in the public opinion. He heard that from all parts of the country. The Ministers were giving way to the Press, because they were afraid to meet the questions of the Livery. They were sacrificing that House and their parliamentary faith to the instigations of the Press.

Mr. Courtenay was sure, that the noble Lord would not impute factious opposition to him, for he had not voted in any one of the vexatious divisions which had taken place. He must, however, say, that the present course was one of the most outrageous breaches of parliamentary faith he had ever heard of.

Mr. Wrangham said, that the noble Lord persevered because his retreat was cut off by his friends behind him. He was afraid that the Gentlemen on the other side wished to force the Opposition to strong measures, which he, for one, would not be deterred from adopting by any fear of unpopularity.

Sir Robert Price deprecated the tone in

which the question had been taken up by the Gentlemen on the other side. The right hon. Gentleman might say, that he would not attend in his place, but that was no reason why the House should not meet if their duty required it. He entreated the Opposition not to follow a course which would have a most injurious effect on the country.

Mr. *Ewart* recommended the House to meet, and employ its energy in promoting the measure rather than in opposing it.

Sir *George Murray* said, the result of the observations of the Gentlemen opposite was, that they thought an agreement, however binding others supposed it, might be cancelled by a majority.

Mr. *Charles Dundas* stated, that the arguments about the Committees was of no force, as there would be a commission tomorrow which would break up the Committees. As to cancelling an agreement, he denied that any agreement concerning Saturday had been entered into.

The Committee divided on the question "that the Chairman do ask leave to sit again to-morrow :—For the Motion 216; Against it 143—Majority 73. House resumed. Committee to sit again the next day.

HOUSE OF LORDS, Saturday, July 30, 1831.

MINUTES.] The LORD CHANCELLOR, the Duke of Richmond, and the Earl of Shaftesbury, as his Majesty's Commissioners, gave the Royal Assent to the Master of the Mint's Salary Bill; the Assessed Taxes Composition Bill; the Lord Steward's Oaths Repeal Bill; the Militia Ballot Suspension Bill, and the Customs' Oaths Bill. The Queen's Dower Bill, read a third time.

HOUSE OF COMMONS, Saturday, July 30, 1831.

MINUTES.] New Writs issued. On the Motion of Mr. SPRING RICE, for New Ross, in the room of Charles Tottenham, Esq., who had accepted the Chiltern Hundreds.

Returns ordered. On the Motion of Colonel TORRENS, of all Bank of England Notes and Post Bills in circulation every Saturday in the present Year, pursuant to Act 35 George 3rd, Cap. 184, up to the latest period the account can be made up, and the quantity in weight of Standard Gold received into the Mint, from 15th July, 1830, to the present time, and of the value of the Gold coined, distinguishing each denomination, and for whom coined, and the expenses incurred, and an account of all Silver Coin melted from 31st December, 1829 to the present time, stating the amount in each quarter, and on what account received or melted; a similar account of all Gold Coin.

Petitions presented. By Sir JAMES WILLIAMS, from the Grand Jurors of Carmarthen, for an additional Member for that County. By the DEAN and CHAPTER of St. Patrick's Cathedral, Dublin, against the Irish Reform Bill. By Lord STANLEY, from the Millers and Corn Dealers of

Burnley, against the Importation of Foreign Flour. By Lord MILTON, from Landed Proprietors in Barnsley and its vicinity, against the Registry of Deeds Bill. By Mr. GEORGE DAWSON, from Inhabitants of Castlecomar, for the continuance of the Grant to the Kildare Street Society; from the Inhabitants of Broughshane, complaining of Charity Letters being charged with Postage; from Masters and Owners of Coal Vessels, Corporation of Coopers, and Corporation of Felt Makers, Dublin, for the continuance of the Coal Meters' Establishment. By Mr. HUNT, from the Inhabitants of Hurdsville, for Repeal of the Corn Laws. By the Marquis of Chandos, from the West-India Planters and Merchants, against the Sugar Refinery Bill. By Colonel LOWTHER, from Land Owners of Strickland, Kettle, Halton, and Grayrigg, in the Parish of Kirkby in Kendal, for a period of limitation to collect Tithes in kind.

COTTON FACTORIES BILL.] Mr. *Hobhouse* presented Petitions from Glasgow and Manchester, signed by many Merchants and Manufacturers, and several thousand inhabitants connected with the Cotton Trade, in favour of the Cotton Factories Bill. The Glasgow petition prayed, that Scotland might be included in the provisions of the Cotton Factories Apprentices Bill. He had also received many communications to the same effect, from the same place, from Dundee, and other parts of Scotland, and the result of the whole was, after consulting with several Members of that House; that he had determined not to exclude Scotland from the provisions of the Bill. The arguments, that it would be unfair to the English manufacturers to place them under restrictions from which the Scotch were exempt, seemed to him so very forcible, that he was induced to adopt this course. It should also be remembered, that Scotland was included in all bills, which had been passed for regulating the hours of labour in Cotton Factories.

Lord *Stanley* begged to inquire if the Bill was the same as that which passed through a Committee during the last Session, except that its provisions extended to Scotland?

Mr. *Hobhouse* replied, that the Bill introduced last Session, did include Scotland; he had since been doubtful on the subject, but had now determined to include Scotland, and the present Bill was, therefore, precisely the same as the former.

Mr. *George Dawson* inquired if Ireland was included in the Bill?

Mr. *Hobhouse* said, it was.

Mr. *Stanley* said, it was the bounden duty of the Legislature to protect and cherish the persons employed in producing the enormous wealth derived from their industry in cotton factories. He, there-

fore, felt highly gratified that such a measure was introduced, and that its provisions extended to all parts of the empire.

Mr. *Greene* had several petitions from operatives employed in worsted mills, the machinery of which was worked by a stream of water, and they prayed for liberty to work at all hours, to take advantage of the stream. They were of opinion, that children suffered no injury by working at night in these mills, and the Bill would have the effect of turning many persons out of employment; they therefore prayed, that factories in such circumstances should be exempt from its operation.

Mr. *Hobhouse* felt great satisfaction that the operatives employed in one factory only had petitioned against the Bill. It was absurd to say, it was as healthy for children to work by night as by day. There was a clause in the Bill which permitted factories worked by water power, and without the aid of steam, to be carried on at night by relays of hands.

Mr. *H. Ross* assured the House, that the Bill was very unpopular in Scotland, where it was feared the consequence of it would be, to stop the working of many mills, and deprive many persons of employment.

Mr. *George Dawson* hoped no representation would persuade the hon. member for Westminster to exclude any part of the kingdom from the operation of the Bill. Humanity was a general cause. It had long been a prevailing opinion, that children had been over-worked in factories, and that it was absolutely necessary to adopt some measure for their relief.

Mr. *H. Ross* had no desire to treat children with inhumanity, and did not object to regulate the hours of labour in cotton factories, but the labour in woollen and flax factories was healthy, and required no such regulation.

Mr. *Greene* fully concurred in the opinion, that any measure of this sort should be general, and apply to the whole country.

Petitions to lie on the Table, and to be printed.

ARRANGEMENT OF BUSINESS.] Lord *Althorp* rose to move the Order of the Day for the House going into Committee upon the Reform Bill. He trusted there would be no objection to this course, seeing that there was a full attendance of Members, and considering the great importance of the measure under considera-

tion, and the time which must necessarily be bestowed upon its completion. He meant to propose, that they should proceed to dispose of the clause then before the Committee, with the exception of the borough of Totness, for which he understood that a strong case for exemption could be made out, and that the hon. Member who was to submit it to the Committee was unable to attend that day. In the other cases he was not aware that there would be any grounds advanced likely to occupy much time, and he should propose, that they should sit until the remaining boroughs of schedule B were gone through.

Sir *George Murray* rose, not with the most distant intention of saying a word in opposition to the motion of the noble Lord, or to do any thing which should prevent the House from proceeding at once to the business for which they had met according to the decision of the previous night. But he could not, as a Member of Parliament, refrain from rising in his place to express his deep regret that a solemn engagement, entered into by the two parties in the House, had been violated by the King's Minister. He was aware that no absolute decision of the House had been recorded as to the time at which they should sit, yet he knew that it had long been the undeviating practice to regard parliamentary arrangements, founded upon a general understanding amongst the Members, as a sacred and inviolable bond, equally binding upon both parties. He deeply regretted, therefore, that an arrangement of that nature had been made to give way for the convenience of any persons, and still more that it should have been broken under circumstances which placed the minority of the House under a great disadvantage, many Gentlemen having made engagements to leave town on Saturday morning on the strength of the pledge which they had received. Expressing again how deeply it grieved him that such a circumstance should have taken place, calculated as he believed it must be, to lessen the confidence hitherto reposed in the declarations of public men, he should content himself with entering his deliberate and solemn protest against what he conceived to be an unprecedented and lamentable violation of a parliamentary arrangement. He trusted, that his view of the subject, with regard to not allowing this provocation, deep as it was, to influence his conduct in respect to the important measure now

under discussion, would be generally entertained by those with whom he acted, and that they would not allow it, however strong they might think the justification, to induce them to resort to means for delaying the progress of that measure beyond what its full and deliberate examination required. In making this recommendation, however, he did it upon the condition that every fair objection and argument should receive its just hearing and consideration. As to the general charges of delay, and the allusions to the anxiety of the people for more haste, they would not move nor influence him to depart from the course which his sense of duty had imposed upon him. With no other interests in view than those of the people, he considered, that when he was doing his utmost to prevent precipitancy with a measure of this nature he was best protecting the true interests of the people and the country at large. With these observations he should sit down, and he trusted that they should proceed to the business for which they had met without any recurrence to feelings which had been very highly excited, but which had, he thought, been most wisely allayed, and which, he hoped, would not again be roused into activity.

Sir *F. Burdett* entirely coincided in the feeling that had been expressed by the right hon. Baronet, and was delighted with the candid and gentle tone in which that feeling had been expressed; he, therefore, hoped that it would be met by a corresponding sentiment on the other side, and that the real purport of their meeting would be immediately proceeded with. He begged at the same time to remark, that he knew of no absolute agreement previously existing that was contrary to the spirit of their meeting that day; and he should be sorry if he had, by his vote of the previous night, broken through any such agreement.

Sir *Charles Wetherell* said, that there never was a more decided parliamentary engagement made in that House than that which was entered into by the Ministers, that the Bill should be in Committee four days in the week, from five o'clock till one o'clock. While hon. Members on his (the Opposition) side of the House were not aware of the intention, on the part of his Majesty's Government, to press the sitting of the House to-day, hon. Gentlemen on the other side were early apprised of the fact, and prepared to muster accordingly. A circular was sent round by Ministers in

these words—"Your attendance is particularly requested at the House on Saturday, at a quarter before twelve." There was a general understanding that the Reform Bill was not to be proceeded with on Saturdays, yet Ministers now altogether departed from that understanding.

Lord *Althorp* said, that he had never entertained the least idea that the arrangement made had precluded them from meeting on Saturday, if peculiar circumstances should arise which would render it necessary or desirable.

Mr. *Attwood* said, that if unjustifiable, unworthy, and unparliamentary motives, had not been attributed to the Opposition side of the House, the other side would never have had to complain of asperity of tone. His Majesty's Government had urged on the attention of persons on the other side, the propriety of proceeding this day. He admitted the general fairness of the noble Lord, but he contended that the Administration had unfairly taken means to collect all its force on that occasion. The noble Lord had alluded, in his first speech, to the full attendance of Members. It was true that there was a great attendance on one side—and that was not to be wondered at when it was known what urgent means had been taken to ensure that attendance ["no, no," from the *Treasury benches*.] Gentlemen might shout "No, no," but he had a very good reply to their contradiction in his hand. He repeated, that the most urgent means had been taken to ensure the attendance of the partisans of the Bill on that day, before the noble Lord had announced to the House his intention of violating his engagement, and calling upon it to sit on Saturday [*no, no*]. If it was not so, it was most surprising to him that he should possess a note, in the usual form of the noble Lord's circular, dated on Friday; it was headed Reform, was dated July 29th, and stated, that the attendance of the friends of the measure was most earnestly requested before twelve o'clock on Saturday. That note, he asserted, proceeded from those parties who had detained the House with the most frivolous debate on Friday, for four hours—a debate that arose out of the fact, that his Majesty's Ministers chose to dine in the City on Monday. That note called upon the Members to come to the House at a quarter before twelve, because the House was then to proceed immediately into a Committee. He would

not then enter upon the question as to whether the arrangement was a proper one or not. It had been proposed by the Government, and acceded to by the House, and it ought to have been regarded as binding, and honestly adhered to. Such, however, had not been the case, for the arrangement had not only been violated by the noble Lord, but a most unfair and unjust advantage had been taken of the opponents of the Bill.

Lord *Althorp* said, the hon. Member who had just sat down had stated, that circulars had been sent out from the Treasury before any notice had been given to the House of the intention of meeting to-day. That was an error. The usual circulars only had been sent out, and they had not been sent out until last night, after he had given notice in the House of the meeting to-day. And what was more, he did not believe, that the notes from the Treasury had been received by many Gentlemen until this morning. Undoubtedly, the supporters of the measure were prepared for opposition, but he would ask the hon. Gentlemen opposite, if there had not been a meeting of the opponents of the measure? He found no fault with the holding of such a meeting. It was perfectly fair, and he thought desirable. Such meetings prevented misunderstandings, and it would be well if on all occasions those who composed a party would make regular arrangements as to the course they should take. With regard to the engagements which it was said he had broken, he had this to observe:—In the first instance he had made a proposition, that the Committee on the Reform Bill should take precedence of all other public business, petitions and all, on the days for which it was fixed, and that Saturday should be taken as a day for receiving petitions. This arrangement, however, was objected to, and it was withdrawn upon the understanding that the debate on the Reform Bill should commence at five o'clock, and be continued till one o'clock. But in making that arrangement, he did not tie himself down to discussing the Reform Bill four days in the week. He had certainly been asked if the Government could go on without the Supplies, and upon that he had stated, that Mondays were to be set aside for the consideration of the question of Supply, and that he proposed to take the Reform Bill on Tuesdays, Wednesdays, Thursdays, and Fridays. In giving

that answer, however, and in making the arrangement, he had not limited himself, he repeated, to taking the Reform Bill only four days in the week, for when the Supplies were got through, he should be sorry not to take five days for that measure. There was then a full attendance of Members upon both sides of the House, and he did not see any reason why the Bill should not at once be proceeded with.

Mr. *Attwood* said, the note to which the noble Lord alluded could not be the note which he (Mr. Attwood) had read, as it mentioned the meeting of the House a quarter before twelve. The time of meeting to-day had been fixed much later, therefore the note which he had read must have gone before the noble Lord's announcement to the House.

Lord *Althorp* said, the House would recollect, that his first proposition was, that they should meet at twelve o'clock. It was after that, and before the final arrangement was concluded, that the notes were sent.

Mr. *C. W. Wynn* had opposed the first proposition which had been made on the subject by the noble Lord, on the ground that it would occasion great inconvenience and delay. The noble Lord had consented to withdraw it, on the clear understanding that four days in a week were to be devoted to the Reform Bill. He (Mr. Wynn) had proposed that the House should meet on Saturdays to discuss the Reform Bill, but that arrangement had been objected to by the noble Lord, on the ground that many Members were in the habit of going out of town early on Saturday morning. He did not say the noble Lord was bound by any positive engagement, but the noble Lord was at least a party to a truce, and before a truce terminated, it was always usual and necessary, in fairness, to give due notice. The very moment the noble Lord had made up his mind to put an end to the truce, the noble Lord should have made his opponents acquainted with that fact. He really believed, that the present proceeding was not owing to the wishes of the noble Lord, but that he had, as the noble Lord himself threw out last night, been compelled to adopt it by some of his professed supporters. That the intention of meeting to-day was known to some particular Members before the House met yesterday was clear, for an hon. Member, a supporter of the Bill, who formed part of the Coleraine

Election Committee, had stated in his place, that it had been arranged, in consequence of the intended meeting of to-day, that that Committee should meet at ten, instead of eleven o'clock. From this it was clear that equal notice had not been given. He trusted that nothing of the sort would be repeated, and that justice and fairness would not again be sacrificed.

Lord *Althorp* said, that the moment he had decided on meeting on Saturday, he had directed that notes should be sent to the Chairmen of all the Election Committees.

Lord *Porchester* said, that the object of the meeting which had been held by the Members of the Opposition that morning, to which the noble Lord had adverted, was for the purpose of allaying irritation in the discussion.

Lord *Althorp* said, he had made no complaint of the meeting. On the contrary, he had said that such combination served to give a better tone to the debate.

Mr. *Perceval* confirmed the statement of his noble friend, and added, that the meeting, with one or two exceptions, were convinced of the unfairness of the conduct of his Majesty's Ministers, in assembling the House to-day, after the manner, the partial manner, in which the Ministers had made known their intentions.

Mr. *George Dawson* admitted he was at the meeting alluded to by the noble Lord, but he did not feel himself called upon to account to the Ministerial side of the House for whatever course he might think proper to pursue in opposition to this Bill, seeing that his Majesty's Government were determined to carry it *per fas et nefas*. He wished to ask the noble Lord, if he was resolved to go on with this question on Saturdays, without giving any previous notice to the House? If so, he must protest against any such proceeding. Saturday was not a day which ought to be appropriated to the Reform Bill.

Lord *Althorp* could give no pledge upon the subject. He hoped, however, that after the disfranchising parts of the Bill were gone through, and they came to the more agreeable task of enfranchisement, it might not be necessary to sit on Saturdays; but again he must say, that he could give no distinct pledge.

Order of the Day read, and question put that the Speaker leave the Chair.

WINE DUTIES.] Mr. *Attwood* wished,

before the House went into a Committee, to ask at what time the bill for imposing the new Wine Duties would be brought forward. At the present moment those duties were collected—he would say illegally collected—without the sanction of Parliament. He hoped, that if it were only to save appearances, Ministers would allow their edicts to be registered.

Lord *Althorp* said, that every person acquainted with Treasury business must be aware, that it was the constant practice, he would not say it was strictly regular, to collect the duties as soon as the Resolutions for imposing them had been reported.

POST-OFFICE PACKETS.] Mr. *Hunt* begged the right hon. Gentleman at the head of the Admiralty to inform him, if an appointment vacant by the decease of one of the Commanders of his Majesty's Steam Vessels from Calais to Ostend had been filled up from the supernumerary list or not?

Sir *James Graham* hoped to be able to answer the hon. Member's question on Tuesday next.

Mr. *Hunt* understood the Chief Mate of the vessel was an officer of twenty-five years' standing, and ought not to have a younger officer put over his head.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—THIRTEENTH DAY.] On the question being again put, "That the House should resolve itself into a Committee on the Reform Bill,"

Mr. *Cresset Pelham* strongly protested against the unfair conduct of Government, in proceeding this day, in violation of an understood arrangement.

The House resolved itself into a Committee, Mr. *Bernal* in the Chair.

The question was, "That the borough of Malmesbury stand part of schedule B."

Sir *Charles Forbes* said, that according to the unjust, unreasonable, and arbitrary rules laid down by his Majesty's Government, the borough of Malmesbury must fall. He had had the honour of being returned honestly and independently, and without being bound down by pledges, for five Parliaments, by that borough; and even now, when it was threatened with extinction, he would say, that he would prefer being returned to that House by the borough of Malmesbury, to being returned to it by London, Middlesex, or Westminster. In his estimation, therefore,

Malmesbury ought to be preserved, but under the circumstances he could barely hope for such an admission on the part of the present Government, even although Malmesbury had returned Mr. Fox to Parliament.

Mr. *Moreton* said, he lived in the neighbourhood of Malmesbury, and when the hon. Baronet said he was not bound down by pledges, that was easily to be accounted for, for the electors who voted for the hon. Baronet, when asked the name of the candidate to whom they would give their suffrages, could not tell it.

Sir *Charles Forbes* said, it was often necessary to go from home to learn what was done at home. The hon. Member was in this condition. Although residing near Malmesbury, he evidently knew nothing of that borough. A gentleman, a Reformer, had sought the suffrages of the electors of Malmesbury, and had advised them to redeem all past sins by returning a Reformer. The electors, however, refused to adopt this sagacious advice, and declared their determination to support him (Sir C. Forbes) and his hon. relative. A meeting was held at the Town-hall, and the Reformer started for Chippenham, where he met with a similar reception; and thus aiming at two birds, missed both. He repeated, that Malmesbury was as independent as any borough in the kingdom.

Mr. *R. Gordon* said, the hon. Baronet was independent, if being purely the Representative of himself and his own money, could make him so. If any borough in the kingdom ought to be called a nomination, a corrupt, or a rotten borough, Malmesbury was that one. There were thirteen electors, burgesses, respectable persons, according to the hon. Baronet's statement, which he would not gainsay, but merely remark, that six out of the number were unable to read or write. Each of these, however, up to the passing of Mr. Peel's bill, received 50*l.* a-year for his vote. On the passing of that bill, the sum paid to those burgesses was reduced to 30*l.* a year each. This was notorious; indeed so notorious, that his own steward, who lived near Malmesbury, had been applied to by the widow of one of the burgesses, to know how she could get her arrears. Nor was that all; for it was the practice at certain dinners in Malmesbury to have cheesecakes, under which a bank-note was placed.

Sir *Henry Hardinge* admitted the hon.

member for Cricklade was so facetious and good-tempered that it was difficult to find fault with him; but he called upon the noble Lord to observe, that the present discussion was not excited by the opponents of the Bill. He must say, that the interruptions by the hon. members for Gloucestershire and Cricklade, were only calculated to promote delay. When the borough was about to be disfranchised, and his hon. friend rose to take his leave of it with a good grace, then the hon. members for Gloucestershire and Cricklade rose to throw dirt upon it very unnecessarily.

Sir *Charles Forbes* called on the member for Cricklade to prove his charge of bribery and corruption against Malmesbury. It was his duty, if he knew of those things, to bring forward his accusation, and sustain it by evidence, in which case Malmesbury would not merely be placed in schedule B, but must be disfranchised altogether. He could tell the House, that he had sat down to dinner with the burgesses and the burgesses' wives, not to eat cheesecakes, for cheesecakes there were none, but to partake of good rounds of beef, and other provisions equally substantial and plain.

Mr. *R. Gordon* could not prove the charge of bribery from his own knowledge, but from such credible report, that he made no doubt of the fact.

Mr. *C. W. Wynn* was of opinion, that the statement of the hon. member for Cricklade ought not to have been made at all, or should have been made at a former period, and then it might have proved a sufficient reason for placing Malmesbury in schedule A. If those facts could have been established, he should have readily agreed to that proposal.

Sir *R. Inglis* said, they were wandering from the subject under discussion, which was, not whether bribery and corruption prevailed in Malmesbury, but whether the population was sufficient, under the plan now before the House, for the borough to return two Members. As it appeared it did not contain the required number, they were wasting their time in remarking on other matters,

Mr. *Attwood* said, that the borough of Malmesbury, according to the shewing of the hon. Member, did what that House had not done, and ought to have done, viz. it had accompanied Mr. Peel's bill by a measure of equitable adjustment. He defended the borough, on account of

the high character of the Members it sent to that House.

Mr. *G. Bankes* wished to know of the hon. member for Cricklade, as he objected to persons representing places with which they were not locally connected, how our West-India property was to be represented? It was clear, from the conduct of the other side, that it was not the Opposition which always got up unnecessary delays.

Mr. *Baring* said, none of the new-created places could send Representatives to the House more able and honourable than his hon. friend who represented Malmesbury. He feared, the newly-created constituency would have an appetite for cheesecakes equal to Liverpool itself.

Mr. *C. W. Wynn* said, the population of Malmesbury was calculated in a manner not allowed in the case of Clitheroe. It was made to include several districts not in the borough, and, without that, Malmesbury would have been altogether disfranchised. He wished to know, why this took place?

Mr. *Stanley* shewed that the population of the borough of Malmesbury, without including the tithings, was 2,900.

Question carried.

The next question was, "that the borough of Marlborough stand part of schedule B."

Mr. *T.H. Estcourt* said, he did not intend to offer any opposition to this question, but he protested against its injustice. Calne and Marlborough were but eight miles distant from each other, and, therefore, it was natural to make a comparison between them. Marlborough was, in every respect, superior to Calne, and yet, under the conduct of the present Government, Marlborough was to be disfranchised, and Calne preserved.

Mr. *W. Bankes* said, he did not address the Committee with any expectation of receiving justice on the part of Marlborough, after what had happened with respect to Dorchester and other cases; but there was another tribunal, one at which the Attorney General did not preside, and one in which, he trusted, the justice of the Attorney General would not be found to prevail. There was another tribunal, one not pledged against reason, common sense, and justice, but where sound argument and facts would have effect; and it was to enable that tribunal to come to a fair judgment, that he now addressed himself

to the case of Marlborough. This was his feeling; and he entreated all those who had any local information respecting the boroughs, the destruction of which was resolved on, not to shrink from doing their duty, because facts and arguments were disregarded by that Committee, but to come forward and to state all they knew, with a view to each case being considered elsewhere. Marlborough and Calne were situated on the same high road, and every one who had passed through these two boroughs must have been struck with the immense superiority of Marlborough: but not only to the eye was Marlborough superior to Calne; it was also superior in reality. It had a greater population; and where Calne had 208 10 $\frac{1}{2}$ houses, Marlborough had 227. The inhabitants of some boroughs might be desirous of losing the franchise. Those of Marlborough were not. It was an ancient and flourishing place, against which no charge of complaint or misconduct had been made, and against the question then put to the Committee, he, on the part of the borough, loudly protested. And what was this schedule B? It would be schedule A of the first Reformed Parliament. He did not expect justice, after the language used by the Attorney General two nights ago—he did not expect courtesy, after the conduct of the noble Lord (Althorp) yesterday and to-day; but if he was to expect neither justice nor courtesy at the present moment, what was he to expect after this great change and great step towards the destruction of all our institutions should have been taken? What was he to look for, when the Attorney General imitated the conduct of those times which ought to be regarded as a beacon and a warning to be shunned and avoided? The Malignants of the first Parliament were those who were opposed to republican principles. The Malignants of the second Parliament were those who had any property to protect. The step was short and sudden upon that occasion; God forbid that, on the present, it should be imitated.

Mr. *Hunt* was well acquainted with all the three boroughs of Chippenham, Marlborough, and Calne; and felt, as the people in Wiltshire felt, extreme surprise, that Calne should not be in the same schedule as Chippenham and Marlborough, which had so obviously the advantage in the eye of the least attentive observer. There was no good in going about the bush

to avoid wounding the sensibility of Ministers ; so he would, without disguise, tell the secret, if it were one, to the House and the people out of doors. The fact was, this borough of Marlborough was in the interest of the Marquis of Aylesbury, whom the noble framer of the Bill knew would be against his Bill of Reform, whilst he as well knew, the borough of Calne was in the nomination of a supporter of it, namely, the Marquis of Lansdown, and, therefore, the noble Lord eked out the requisite number of voters for Calne, by adding to its own population that of the liberties of Bowood. When the proper time came, he trusted the House, out of a true spirit of consistency, would support him when he pledged himself to make a motion for placing Calne in schedule B. It ought not to have, it was obvious, as many Representatives as Westminster.

Sir *Charles Wetherell* said, he frequently travelled the road on which Marlborough and Calne were situated, and he knew that the people of Calne expressed their astonishment when they found that they were to retain both their Representatives, while Marlborough, so much their superior, was to lose one. They, however, were taking but half the borough, and their successors would take the other half. The measure was said to be final ; it would be no such thing. It would be like parboiling a dish, as they did in Scotland, where salmon was sent to table half-cooked. Gentlemen might flatter themselves that they were accomplishing a great work. They would find themselves only the rough hewers, and better workmen than they were would polish and finish the great business of confiscation, disfranchisement, and destruction. But though his learned friend, the Attorney General, or rather, he ought to say, the radical member for Nottingham, might lay down the doctrine of confiscation as a part of the law and constitution of the country, he was perfectly satisfied, there was another place where such a doctrine would undergo revision, and would not be confirmed.

Mr. *Cresset Pelham* objected most strongly to the Bill and all its details. If it pointed out any mode of paying the national debt, and reducing salaries, it would be something to the purpose.

Lord *Althorp* complained that so much time should be occupied in discussing the case of this borough, when the two members for it had admitted that they could

not give any reason why it should be taken out of the schedule, if the principle which had been acted upon with regard to other boroughs was applied to it. He must say, that the time of the House was unnecessarily wasted by such discussion, though he was far from throwing all the blame on one side.

Question agreed to.

Great Marlow and Okehampton were placed in schedule B, without discussion.

On the question “ that the borough of Reigate stand part of schedule B,”

Mr. *Yorke* had never heard it alleged that Reigate was a rotten borough. That, however, he was aware, was no reason, nor would any observation he could make, be regarded as sufficient reason, why this borough should not be continued in the schedule. He would not, therefore, take up the time of the Committee.

Mr. *Hunt* said, that Reigate was a contemptible place when compared with Guildford, and that it would, after this Bill passed, be just as much the nomination borough of Lord Somers as it was now. It ought to be in schedule A.

Lord *Eastnor* gave the statement of the hon. member for Preston the most unequivocal contradiction.

Lord *Althorp* said, that the borough had been placed originally in schedule A ; but that, upon inquiry, it was found that there was abundant ground for taking it out of that schedule ; and that, at least, could not be attributed to partiality, because both the Representatives for the borough were opposed to the Ministers.

Mr. *Hunt* did not believe, that there were twenty 10*l.* houses in Reigate. He had not accused any of his Majesty's Ministers of partiality as to this borough.

Lord *Eastnor* said, that it did not much matter what the hon. member for Preston believed, since the fact was, that there were 228 10*l.* houses in the town of Reigate alone.

Question agreed to.

The next question was, “ that the borough of Richmond stand part of schedule B.”

Colonel *Cradock* said, the inhabitants of Richmond had presented a memorial to the Government, stating facts that ought to take their borough out of the schedule. The borough and parish were co-extensive, but the town had a place connected with it which contained about 150 inhabitants, and thirty-three 10*l.* houses. The inha-

bitants generally were of a most respectable description. It was superior to any town in the North Riding of Yorkshire, and was a wealthy, flourishing place, having more than 4,000 inhabitants at present.

Lord *Althorp* said, the case of Richmond was perfectly simple; the borough and parish were co-extensive, and contained 3,456 inhabitants, which clearly brought it within the rule, without possibility of escape.

Mr. *Wrangham* said, the rule so often talked of was not applicable to the various cases which came under their consideration, and was not adhered to.

Lord *Althorp* must suggest to the hon. Gentleman, that without some fixed rule, it would have been impossible to have decided any case.

Lord *Milton* said, undoubtedly Richmond was a very respectable town, with a most respectable population; but had his hon. friends made any exception on that account, a great clamour would have been raised against them. The principle applied might work unequally, but those who proposed the rule adopted it with the best intentions. Richmond was better fitted to send Members than Northallerton, but it was necessary to adhere to the rule laid down.

Sir *Charles Wetherell* observed, that the experience of going through the schedule, which they had now acquired, proved how defective the principle was on which it was formed. The practical operation of the principle was a refutation of the principle itself.

Mr. *Wrangham* did not rise to endeavour to exempt Richmond from the rule laid down, nor had he intended to extend his observations so far as had been interpreted, but he certainly wished it to be understood, that he thought the rule itself most absurd. The qualification of property should have been taken into consideration.

An *Hon. Member* would be ready to support any motion for removing this borough from schedule B. He was of opinion it ought not to be partially disfranchised.

Mr. *North* said, that the observations of the hon. Member, as to the qualification of property distinct from population, was deserving of attention. If small towns were to return each one Member, and considerable towns were to have none, the projectors of this measure, who adopted population as its basis, acted in a very

extraordinary manner, which ought to excite suspicion. It was well known, that Calne, which was to retain its rights, was not of equal importance to many boroughs, which were either wholly or partly to be disfranchised: such proceedings could neither be satisfactory nor final.

Mr. *Wrangham* wished to impress upon the Committee the fact, that many places were wholly removed from the operation of this measure, while the privileges of others were completely extinguished.

Mr. *Baring* said, a population of 4,000 had been announced as the line to be drawn for a place to continue to return its Members, but that had not been altogether adhered to. In some instances, distinctions had been made where parts of the population, of what was, in fact, the same place, were in another parish; in other instances, the same principle was acted on in an opposite manner, and the population of other places included in the borough. He therefore begged to ask the noble Lord, when the different boroughs were assigned their limits by the Commissioners, whether the portion of the population taken in by the speeches of noble Lords would possess the right of voting for the borough?

Lord *Althorp* must decline answering the question, because it would have the effect of introducing a new subject for discussion, perfectly extraneous to that before them. At a proper time, he should be ready to have the question discussed, and they could then come to a regular decision. To agitate it now would be of no avail.

Question agreed to.

The next question was, "that the borough of Rye stand part of schedule B."

Colonel *Evans* said, that the population of this borough in 1821 was 3,599. It was highly probable, that in time of war the port of Rye would become a port for steam-boats, and he believed, that at this moment the population of the borough amounted, within two or three hundred to what the Gentlemen opposite called the mystic number. There was, however, at the distance of a mile and three quarters from Rye, a town which might perhaps be advantageously added to it for the purposes of Representation. The town to which he alluded was Winchelsea, and this town and Rye had been united in service and duty to the Crown for the last 500 years. Part of Rye was

within the limits of Winchilsea, and had been for 500 years an appendage to that ancient Cinque Port, enjoying under one and the same charter equal privileges in all cases. The two places were intimately connected. Their united population, including the liberties, was about 6,400 inhabitants, and a most respectable constituency could be had. The towns of Weymouth and Melcombe Regis, were by this Bill to send two Members; the population of these towns did not far exceed that of Rye and Winchilsea, he, therefore, considered it reasonable that these two latter places should also be joined together, and return two Members. A great deal had been said with respect to the riots which were supposed to have taken place at the late election for this borough. He could confidently assert, that far greater disturbances had occurred at the previous election. He meant to move, "that the towns of Rye and Winchilsea should be united, and that they should send two Members to Parliament." It was intimated to him that this course was informal, and he should, therefore, move, "that the borough of Rye be excluded from schedule B."

Sir *Charles Wetherell*, so far from admitting that the disturbances at the last election for Rye were moderate, compared with those which had occurred at the preceding election, declared, that a more riotous or outrageous scene could not be imagined than that which was exhibited at the last election. The hon. and gallant Member had not done credit to the military talents of his constituents. That, however, had nothing to do with the question at present before them. In his opinion, there was much stronger reason for uniting Winchilsea with Rye, than could be adduced for uniting Deal with Sandwich. He, therefore, was in favour of the Motion.

Lord *Althorp* said, the hon. and learned Gentleman argued, that if there were any difference between the union of Sandwich and Deal, and the union of Winchilsea and Rye, it was in favour of the latter. Now this was not so. Ministers had attached Deal to Sandwich, because it was a large and populous town, which was not the case with Winchilsea. There was, in his opinion, no reason for uniting Rye with Winchilsea, and he should oppose the amendment.

Mr. *Hope* was of opinion, that Rye

ought to be taken out of schedule B. He could not help expressing some surprise that the gallant Officer who brought this question forward should have founded an argument on the ancient charter of Rye, when he had voted for disfranchising a great number of boroughs in schedule A, which also possessed chartered privileges.

Sir *Henry Hardinge* was favourable to the union of Winchilsea and Rye. He was also of opinion, that it would be just to unite Newport with Launceston. Conjointly they would have a right to return two Members; instead of which, Newport was placed in schedule A, and was totally disfranchised, while Launceston, being comprised in schedule B, could only return one Member. It appeared to him, that the legislation of Ministers was a legislation on names, and not on things. It certainly was not a legislation on property. That principle appeared to have sunk entirely from their view. If it were not so, why should Shoreham and Cricklade, the former having twenty-six, and the latter twenty-four 10*l.* houses, be allowed to send two Members to Parliament, while county-towns were "curtailed of their fair proportions?" In the cases he had mentioned, corruption had been proved before that House, and the franchise was in consequence extended to the hundred. So that, in point of fact, it was former corruption which secured to them that privilege of which Dorchester, a county-town, with a constituency of upwards of 3,500, and 10*l.* houses to the number of 333, was deprived. This was a legislative absurdity which must and ought to be corrected.

Colonel *Evans* said the charge brought against him, of having voted for the extinction of other chartered rights, while he defended those of Rye, was well founded. The only point of difference in his favour was, these were insignificant places, while larger and more populous towns were not Represented. If there was that difference between Deal and Sandwich, and Rye and Winchilsea, which had been said by the noble Lord and his colleagues who had brought forward this measure, and they did not approve of his proposition, he certainly did not mean to press it.

Sir *John Malcolm* was surprised, that the hon. and gallant Member should have voted for the disfranchisement of Launceston on a former evening, with the opinions he had now expressed.

Colonel *Conolly* would be most happy to support the hon. and gallant Member, if he would undertake to show the line laid down by Ministers was unjust with regard to Rye. It might then be inferred, that it was unjust with regard to other places, and the hon. and gallant Member would probably support a motion on the third reading, to get rid of schedule B altogether.

Mr. *Curteis* had some local knowledge of the places in question, and, therefore, wished to point out to the gallant Member, that it would be somewhat difficult to unite the towns and liberties of the two boroughs, because the liberties of Winchelsea extended into several parishes, which had distinct jurisdictions. The proper course would be, that such matters should be settled by the Commissioners.

Colonel *Evans* withdrew his amendment, and the original question was agreed to.

On the question "that the borough of St. Ives stand part of schedule B,"

Mr. *E. L. Bulwer* said, he feared that he could not serve his constituents by making out a case in their favour. He hoped, however, that he was forwarding their interests, and those of the public in general, by doing nothing that could in any way delay the Bill. By sacrificing local to general interests, he believed, that the welfare of all would be most promoted.

Question agreed to.

The borough of Shaftesbury was placed in schedule B, without observation.

It was next proposed "that the borough of Sudbury stand part of schedule B."

Sir *John Walsh* said, in this case the interests of a large body of constituents were intrusted to his hands; and it was his duty to substantiate the very just claim which their borough had to be taken out of schedule B. This was one of the best cases, if not the very best, which the House had been called on to adjudicate, in considering schedule B. He would endeavour to be as brief as possible with his statement, for he could not help recollecting, that this was the fifth day (and they had sat till very late hours) during which they were occupied with this clause, and of course the bodies and minds of Gentlemen must be very much wearied. Gentlemen opposite had been in the habit of complaining that they were interrupted by hon. Members on that (the Opposition) side of the House. He thought, however, that the accusation ought to be reversed.

It could not be forgotten that when he addressed the House on the second reading of the Bill, the Gentlemen opposite opened, in full cry, with those volleys of cheers which they so much condemned if they happened to come from any other quarter. He regretted much, that he had not the opportunity of laying the case of Sudbury before a more numerous assembly, because he felt that it was one which demanded serious attention. He, however, would now protest against considering the decision of the Committee as being final and conclusive upon the whole merits of this case; and hereafter, if the decision of the Committee rendered it necessary, he would bring forward the question for solemn discussion. He would now state, that Sudbury, with respect to population, might be ranked as the first borough in schedule B. In reference to population, it approached nearest to the arbitrary line which his Majesty's Ministers had adopted. In 1821, the number of persons within the limits of the borough, was 3,950; and the amount of inhabited houses was 843. Since that time, Sudbury afforded ample evidence of an improving and rapidly flourishing condition, as was the case with other boroughs to which hon. Members had alluded. The population within the limits of the borough in 1831, was probably 4,677, and it would have been very nearly that number in 1821, if Ballingdon, a part of the town, had been included in the census at that time. In 1821, a flourishing manufacture was established in the borough. It could not, indeed, rival Manchester, but still it was a growing and thriving manufacturing town. The 107. houses, in 1821, were said to be 180; but he believed that that return was extremely inaccurate, and that they actually amounted to 271 within the borough. The population of Ballingdon, which was a suburb district, forming a continuous street with Sudbury, amounted to 662; and if that were added, as it ought to be added, to the population of the borough given in the return, it would make it amount to 4,612, which would clearly take it out of this schedule. The population of which he spoke was to be found in one continuous town; it was not a scattered population, nor an agricultural population, and that circumstance, he thought, should be sufficient to induce the Committee to take this borough out of schedule B. He was certainly determined

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to take the sense of the Committee on this part of the clause, though he did not conceive that its decision would in any degree detract from the justice of the case.

Lord *Althorp* said, he was ready to admit, that this was a case similar to those of *Dorchester* and *Guildford*, and that it should be decided upon the same principle. The hon. Member contended, that it ought to be taken out of the schedule, because it had a hamlet connected with it which would make its population sufficient to bring it within the line, but the same arguments had been used as to those other places and the motions founded on them properly rejected. He should, therefore, persist in keeping *Sudbury* where it had been placed.

Lord *Milton* said, that it appeared to him, that according to the rule which his Majesty's Ministers had laid down, this borough ought to be taken out of schedule B. The population return stated, that the hamlet of *Ballingdon* was not in the borough of *Sudbury*, but there was no doubt that it was in the parish of *All Saints*, which was in the borough of *Sudbury*; and the difficulty which his noble and right hon. friends seemed to feel, as to connecting this hamlet with the borough of *Sudbury*, was only similar to that which might be experienced in the case of the borough of *Tamworth*, the constituent parts of which were in two different counties. Though he should be sorry to vote in any instance against his right hon. friends, if he could not persuade them to omit this borough in schedule B, he would certainly vote against its being retained there.

Mr. *Wrangham* said, that the hamlet of *Ballingdon* paid tithes and church-rates to the parish of *All Saints*, and that its population ought, therefore, to be included in the population of that parish. If that had been done, this borough would have been placed beyond the line laid down in the Bill, and on such grounds he should vote against its being included in schedule B.

Lord *Althorp* said, that he was ready to admit that this was a difficult case, and if the hon. Baronet (Sir John Walsh) had no objection, he would move, that the consideration of this borough be postponed.

Mr. *Wrangham* pressed for an immediate decision in the case of this borough, he was so thoroughly convinced of the justice of its claims to be excluded from schedule B.

Mr. *C. W. Wynn* said, that a very strong

case had been made out in favour of *Sudbury*, which tended to convince him of the expediency of examining witnesses, as had been suggested in the case of *Appleby*. He certainly thought the case had better be postponed for further inquiry.

Question postponed.

The next question was, "that the borough of *Thetford* stand part of schedule B."

Mr. *Baring* said, undoubtedly the population of *Thetford* was under the line drawn by the Ministers, but the Corporation were most honourable and respectable people, and they had no objection to increase the number of electors. There was no person who had sufficient property or influence to coerce the voters, and should the number of voters be increased, no person could, previous to a contested election, calculate who would be returned. The Corporation objected to disfranchisement, but not to enlarging the franchise. He feared that the events of a few years would convince the Gentlemen of the landed interest, that they had done wrong in consenting partly to disfranchise several of the county towns, and *Thetford* was one. The field of coal would beat the field of barley; the population of the manufacturing districts was more condensed, and would act together with more energy, backed by clubs and large assemblages of people, than the population of the agricultural districts. They would act with such force in the House that the more divided agriculturists would be unable to withstand it, and the latter would be overwhelmed. They had, in fact, been already completely gulled in supposing that the proposed increase of county Representation would afford sufficient security for their interests, promoted as other interests would be by the effects of this Bill. He saw with great alarm the injury to be apprehended to the agricultural interests, believing as he did, that the prosperity of the country chiefly depended on the prosperity of the farmers. He would return to the particular case of *Thetford*. *Horsham* was to return two Members, but there was a distinction made between the borough and town. By the returns of 1831, the inhabitants of the borough were only 1,887; one parish adjoining it contained 1,187 more; this was not enough, but then another parish was added, and the population of the three united made up more than 4,000, and

Horsham was preserved. It was the population of the rural districts, and not the town population, however, that accomplished this, though such a population was expressly excluded in the cases of Thetford and Dorchester, which was a still stronger case even than Thetford. He had no objection to the line of 2,000 and 4,000, but he objected to their being drawn in a vague and arbitrary manner. To some towns less than justice was done, and others were too liberally dealt with. It was said, they were returning to the ancient practice of the Constitution, but at no period had the Representation of county-towns, been such as was now proposed, and they were not proceeding in conformity with the recommendations from the Throne, to arrange the details of the measure before them, upon the understood principles of the Constitution.

Sir Charles Wetherell allowed the borough of Thetford was now, and had ever been, a close Corporation of a peculiar class, and at a proper time he should prove, that it had never stood upon the basis of popular Representation, and that it was no usurpation of popular rights. He hoped to convince some hon. Gentlemen, that electors in this class of boroughs had always been very limited in numbers.

Question agreed to.

The next question was, "that the borough of Thirsk stand part of schedule B."

Mr. R. G. Russell agreed generally to the principles of the Bill, but as Thirsk was a town of considerable manufacturing and commercial importance, he had hoped it would not be included in schedule B. There was an irregularity in the population returns for 1821, and a township belonging to the borough was omitted. He believed this might have caused the insertion of Thirsk in the schedule, and as he had long represented the town, he could do no less than bring this before the House.

Lord Althorp said, that the population of Thirsk would not amount to 4,000, if the adjacent township or parish were added. He was ready to admit it was a flourishing town, but thought it would be sufficiently represented by one Member.

Question carried.

The consideration of the borough of Totness was postponed on the Motion of Lord Althorp.

The boroughs of Wallingford and Wilton were successively inserted in the schedule, without remark.

Sir Charles Wetherell said, that really the lots were put up so quick, and knocked down so soon, that there was no knowing how they went.

Lord Althorp thought there was not much reason to regret the fate of Wallingford, which contained only 2,093 inhabitants. The noble Lord then moved "that the borough of Saltash be inserted in schedule B."

Sir Charles Wetherell thought, that the least which the right hon. and noble Lord could do, was to state some grounds for his Motion.

Lord Althorp did not conceive it necessary to state any grounds why this borough should be taken out of schedule A, for both himself and the learned Gentleman had voted, on this point, upon the same side. He would always give way on any question when he was convinced he was in error; for he was not like a former Member of that House, who had openly asserted, that he had heard many speeches in Parliament which had made him alter his opinions, but he had never heard one that had induced him to change his vote. The reason for inserting the borough in schedule B was, that including the parish of St. Stephen, it contained a population of more than 3,000, and less than 4,000 inhabitants.

Mr. Hughes Hughes would willingly support any Member who should move that this borough be returned to schedule A.

Lord Milton said, upon reconsidering the transfer of Saltash from schedule A to schedule B, he was disposed to believe (although he had voted against the transfer) that it had been done on fair grounds. He wished to be allowed to make a few remarks on what the hon. member for Boroughbridge had asserted relating to close Corporations. He concurred with him, that it could not be proved these small boroughs were founded generally upon popular Representation, but he believed, if the case was closely looked into, some principles of the Representation of property would be observed, and although the inhabitants generally had no votes, yet the members of the corporation themselves were the representatives of property, and the question now arose, whether these corporations, as at present composed, fulfilled this object. He believed it would not be asserted that the corporations consisted of the most respectable persons in the respective boroughs, and therefore it

did not answer the original intentions with which the boroughs were created. So far from representing property, many such persons were under the influence of individuals. He did not apply this case particularly to Thetford.

Mr. *Baring* said, he did not object to opening close corporations, and on this point his constituents agreed with him; but what he feared was, that in the arrangements for the new Constitution, they were letting loose too much democratical influence, and he wished to find, to make or to retain, something to balance it, and he, therefore, objected to taking away Members from the close corporations, which were to be thrown open.

Colonel *Evans* said, the Bill would have the effect of destroying the wretched system of corporation monopoly which existed through the country, from which he anticipated the best effects. No persons, but those acquainted with the facts, knew how injuriously this system operated in small towns.

Mr. *Hughes Hughes* having been one of the minority of 150 on the division concerning Saltash, and having still an opinion that Saltash ought not to have been omitted in schedule A, he should feel himself bound to support any motion for restoring it to that schedule, though he would not divide the Committee on the present occasion.

Question agreed to.

House resumed. Chairman reported progress, and Committee to sit again on Tuesday.

HOUSE OF LORDS,

Tuesday, August 2, 1831.

MINUTES.] Petitions presented. By the Earl of HAREWOOD, from 101 Clergymen of the West Riding of York, against the Beer Bill.

QUEEN'S DOWER BILL—ROYAL ASSENT.] His Majesty having signified his intention of coming down to the House this day, to give the Royal assent to the Queen's Dower Bill, a considerable number of Peers were assembled in the House soon after twelve o'clock. Her Majesty, the Queen, arrived at half-past three o'clock, and took her seat in a chair prepared for her on the right hand of the Throne, and one step below it. At four o'clock his Majesty entered the House, and took his seat on the Throne, and directed the Usher of the Black Rod to go to the Commons and desire their attendance.

The Speaker soon after arrived, attended by many of the Members of the House of Commons. The Speaker carried the Queen's Dower Bill in his hand, and on arriving at the Bar, he addressed his Majesty as follows:—

May it please your Majesty;—"We, your Majesty's most faithful Commons, appear before you with respect and attachment to your Majesty's House, and beg most humbly to announce to your Majesty, that in conformity to your Majesty's most gracious recommendation, we have passed a Bill to make provision for her most gracious Majesty, in the event of your Majesty's decease, and with dutiful respect we now present such Bill to your Majesty for acceptance."

The Royal Assent was declared in the usual form and words:—"Le Roi remercie ses bons sujets, accepte leur benevolence, et ainsi le veut."

The Queen then rose, and bowed and curtsied thrice.

The Royal Assent was given to fifteen private Bills, after which their Majesties left the House.

DUCHESS OF KENT AND PRINCESS VICTORIA.] Earl Grey presented a Message from his Majesty, and moved that it be read.

The Message was read by the Lord Chancellor, and was as follows:—

"His Majesty, taking into consideration, that since a provision was made by Parliament for her Royal Highness the Duchess of Kent, and for her daughter the Princess Alexandrina Victoria of Kent, circumstances have arisen which make it proper that a more adequate provision should be made for her Royal Highness the Duchess of Kent, and for the honourable support and education of her Royal daughter, the Princess Alexandrina Victoria, relies on the zeal and affection of the House of Lords for their concurrence and support in such measures as may be suitable to the occasion."

Earl Grey moved, that the Message be taken into consideration to-morrow.—Ordered

PORTUGAL AND THE AZORES.] The Earl of *Aberdeen* said, that having, on a former occasion given notice, that he would bring forward a Motion for papers and documents relative to the events which had lately occurred in Portugal, and the noble

Earl at the head of his Majesty's Government, having declared, that he did not mean to lay any papers on that subject on the Table at present, and having stated that the production of these papers, at present, would be mischievous to the public service, he would give notice, that it was not his intention to persevere in making that Motion. But there was another subject connected with Portugal, to the elucidation of which, the same objection did not apply—he alluded to the state of the Azores, and to the transactions which had recently taken place in these islands—and on Friday next he would bring that subject under the notice of the House?

Earl Grey inquired, whether the noble Earl had any objection to state the nature of his intended Motion.

The Earl of Aberdeen replied, that he would communicate the nature of the Motion to the noble Earl before he brought it forward.

The Lord Chancellor observed, that when the noble Marquis (Londonderry) who had given notice of a Motion for papers on the subject of the Belgic Negotiations, had, at his request, courteously agreed to postpone his Motion till this day week, it was generally understood that there would be no business of any particular importance to come on this week, and with that persuasion several noble Lords had left town. He, therefore, suggested to the noble Earl, that it would be more convenient if he were to bring forward his Motion on Monday. At the same time, he had no personal wish on the subject.

The Earl of Aberdeen thought the matter so urgent, that he had at once intended to name Thursday instead of Friday, and, therefore, he was very unwilling to postpone his Motion till Monday. But, at the same time, if Friday was a very inconvenient day, he would consent to name Monday as the day on which he would bring forward his Motion.

HOUSE OF COMMONS,

Tuesday, August 2, 1831.

MINUTES.] Bills. Brought in; by Mr. CRAMPTON, for Consolidating and Amending the Jury Laws in Ireland. By Mr. SPRING RICE, to Consolidate and Amend the Laws relating to Hackney Coaches. Ordered to be brought in; to regulate the speed of Ships and Vessels in the Port of London. Read a second time; Exchequer Bills.

Returns ordered. On the Motion of Mr. Alderman VENABLES, of the quantity of Malt charged with Duty, from 5th January, 1830 to 5th January, 1831, and from that date to 5th July, 1831, distinguishing the amounts for

England and Scotland:—On the Motion of Mr. JOHN WOOD, for an account of all Money received and expended for building two new Churches in St. Mary's, Newington, with all the particulars of the expenditure:—On the Motion of Mr. PUSEY, for a return of the fifty-six English Boroughs, the population of which was lowest of the Census of 1831, of the forty-one Boroughs immediately above them, and of the sixteen Boroughs next in order, according to the local limits of 1821; those to be excluded which returned one Member only, and distinguishing the Boroughs placed in the various Schedules of the Bill.

Petitions presented. By Mr. EWART, from the Churchwardens and Select Vestry of Liverpool, against the Poor Settlement Bill. By Mr. WYSE, from Land-holders and Householders of Castle Grace, for the abolition of Bishops' Courts; from the Inhabitants of Aughagour, complaining of Distress. By Mr. STRICKLAND, from an Association of York, complaining of the Law for stopping Footpaths. By Mr. W. A. WILLIAMS, from the Chairman of the Newport (Monmouth) Patriotic Society, in favour of Reform. By Mr. O'CONNELL, from Catholic Inhabitants of Baltinglass, Castle Lyons, and the Kilolann Union of Kilworth, against any further Grants to the Kildare Street Society; from Literary Teachers (Dublin), for the Repeal of the Union:—By Mr. MAURICE O'CONNELL, similar Petitions, from Freshford, Tullerson, and Three Castles:—By Mr. BROWNLOW, similar Petitions, from Catholic Inhabitants of three Parishes in Armagh. By Mr. O'CONNELL, from Kilmore, Kerry, complaining of the oppressive nature of Tithes; from the Members of the Irish Bar, for the reduction of the Stamp Duties on the admission of Catholic Freemen (Galway). By Sir W. H. FOLKES, from Corn Growers at Yarmouth, Norfolk, Land Owners and Occupiers, Freebridge Lynn, Freebridge Marshland and its vicinity, and East and West Hogg, Norfolk, against the use of Molasses in Breweries and Distilleries:—By Mr. T. DUNCOMBE, similar Petitions, from the County of Hertford:—By Lord FRANCIS OSBORNE, similar Petitions, from Owners and Occupiers of Land, Cambridgeshire. By Mr. BROWNLOW, from Catholics and Dissenters of Lisnadiel, Armagh, complaining of the Bill to oblige them to contribute to build new Churches. By Mr. MULLINS, from the Fishermen of Dingle, complaining of the abolition of bounties for curing Fish.

BOROUGH OF GREAT GRIMSBY.] Sir William Guise brought up the Report of the Committee appointed to inquire into the Election for Great Grimsby. The Report stated, that the two sitting Members had been guilty of treating, and the Election was, therefore, declared void. The hon. Baronet moved, that the Speaker do order a new Writ to be issued for Great Grimsby.

On the Speaker putting the question, Mr. O'Connell expressed an opinion, that it would not be right to comply with the Motion, and that it would be improper to allow the new Writ to issue. A Committee of the House had declared, that Great Grimsby ought not to continue to send two Members, and had agreed to take away one Member from that borough, and, therefore, two Writs ought not to issue. They had been threatened with an elsewhere, and he thought that this would be a good opportunity for that House to exert its own power, and by not allowing the nominees of Peers, and the Representatives of rotten boroughs to enter the

House, they might materially check the opposition which such persons might be disposed to offer to the Bill now before them. He would move, therefore, that the debate on the order for issuing the Writ, be adjourned till to-morrow.

Lord *Althorp* confessed, that he was taken by surprise by the Motion of the hon. and learned Gentleman. He would remark, however, that this was a Special Report of the Committee, and that the Members were accused, not of bribery, but of treating. The only instance, however, in which the Writs were superseded, were cases of bribery. To suspend the Writ in this case, therefore, would be unprecedented, and the Motion ought not to be adopted.

Mr. *Robert Gordon* said, the Motion of Sir William Guise, was to issue Writs for two Members, while the hon. and learned Gentleman thought, as Great Grimsby was to lose one Member, that the House ought to suspend the issue of the Writs for two Members.

Sir *Richard Vyvyan* thought, the hon. and learned Gentleman had no case to stand upon. He should certainly, if necessary, take the sense of the House upon the question of the issue of the Writ being postponed.

Lord *Althorp* thought, on further consideration, that the Writ ought to issue. Till the Bill became a law, it would be quite impossible to act upon it. The proposed Motion of the hon. and learned Gentleman could not, therefore, be carried into effect.

Amendment negatived without a division, and the Writ ordered to be issued.

KILDARE STREET SOCIETY.] Mr. Wyse presented Petitions from Carrick-on-Suir and several other places, against further grants to the Kildare-street Society. The petitioners complained of the dissensions caused by the Society and its schools, and represented the Society, as connected with proselytizing societies in Ireland.

An *Hon. Member* assured the House, that the Society was not connected with any proselytizing society whatever.

Mr. *O'Connell* begged the hon. Member to read the evidence taken before the Commissioners for Education, when he would be convinced, that persons had connected themselves with this Society, with a view of proselytizing, as well as promoting education.

Mr. *Lefroy* undertook most positively to declare, that the Kildare-street Society was not connected with any proselytizing society, and that not a farthing of its funds had ever been applied for such purposes.

Mr. *Wyse* said, that the evidence before the Commissioners for Education, established the fact, that the Kildare-street Society was connected with the Society for the Suppression of Vice. He would never agree to any other than a national system of education, which would unite all sects, and tend to remove religious animosities; it was absurd to expect this result from the Society at present before them.

An *Hon. Member* said, the Kildare-street Society gave no assistance to schools which were connected with any other society. It had formerly afforded assistance to such schools, but objections having been raised to this appropriation of its funds, it had been discontinued.

Mr. *O'Connell* said, the members of the Kildare-street Society winked at, if they did not entirely shut their eyes to, the fact of schools being connected with other societies which derived aid from their funds.

Mr. *Robert Gordon* hoped the time would soon come, when all grants would be withheld, whether intended for the Kildare-street Society, Maynooth College, or the Society for the Suppression of Vice.

Lord *Acheson* was of opinion, that if hon. Members wished to see Catholics and Protestants 'dwell' together in harmony, they could not do better than support the Kildare-street Society.

Petitions to lie on the Table, and to be printed.

BIRMINGHAM POLITICAL UNION PETITION.] Mr. *O'Connell* rose to present a Petition from the Council of the Political Union, Birmingham, praying that the House would accelerate the progress of the Reform Bill. He felt highly honoured by having this petition placed in his hand. The hon. Member proceeded to read the Petition, which set forth—that the confidence which the Petitioners reposed in that honourable House, had hitherto induced them to wait with patience for the issue of its deliberations; but that they regretted to observe, that the nation's determination to possess, at length, the rights of which it had been so long deprived, was set at nought; and that deference was

paid, less to the will of a united people, than to the sordid and frivolous objections of interested individuals. The petitioners had observed, with disgust and indignation, the factious and puerile opposition made to the opinions of a majority of that honourable House, and to the demands of an oppressed and insulted people; and with feelings of a nearly similar character, they contrasted the rapidity with which measures of penalty and of spoliation had been enacted by former Parliaments, with the extraordinary tardiness at present displayed in completing a wholesome and healing measure of wisdom, justice and conciliation. The petitioners respectfully reminded that honourable House, that the state of distress which had so long oppressed the energies of the nation, and filled the country with anxiety and misery, imperatively demanded the immediate attention of the House, and the adoption of comprehensive and effectual remedies; but it was impossible, until the present great measure of Reform should be carried into effect, that such attention should be given, and such remedies applied; and, therefore, the petitioners felt it their duty to urge upon the House the absolute necessity of no longer permitting the Bill of Reform to be retarded in its progress, and the sufferings of an oppressed but patient people prolonged, by the obstinate and factious opposition made by a small and interested minority to the acknowledged and expressed opinions of the great majority of the Members of that hon. House, and of the people of the United Kingdom.

Sir C. Forbes rose to order. He was sure such a petition could not be received.

The *Speaker* had not himself risen to stop the hon. and learned Member, and he thought the hon. Member was rather too hasty, because he was persuaded, that the hon. and learned Member, when he came to a full stop, would himself see the propriety of not proceeding with the petition.

Mr. O'Connell wished, by reading the petition at length, to enable the House to decide as to its reception; he had determined not to gloss over any part of it. He was entirely in the hands of the *Speaker*, and would appeal to him whether the petition could be received or not.

[The proceedings were interrupted by the Usher of the Black Rod commanding the attendance of the Commons in the House of Peers, to hear the Royal Assent to certain Bills. The *Speaker*, accom-

panied by nearly all the Members who were in the House, accordingly withdrew: on returning, he announced that his Majesty had given the Royal Assent from the Throne to the Bill for enabling his Majesty to provide for the Queen, and some private Bills.]

The *Speaker* called on

Mr. O'Connell to proceed. The hon. and learned Gentleman said, as the petition was most respectably signed, he thought it right to press the consideration of it on the House; the rather that, owing to various circumstances, the public at large began to believe, that there was some disposition to trifle with their feelings and judgment by what had taken place in opposition to the Reform Bill. He was himself deeply impressed with this opinion, and, therefore, he wished to bring up the petition, which was respectably signed. He put himself, however, in the hands of the *Speaker*.

The *Speaker* felt obliged to the hon. and learned Gentleman by his referring to him on the subject, which he was sure arose from the confidence the hon. and learned Gentleman felt, that he would give an opinion on the question conformably to the strict line of his duty, and carefully abstain from giving any opinion on the merits of the petition, which hon. Members, who might speak after him, might think departing from the strict line of his duty. With this preface, he must say, that he had no doubt whatever in his own mind that the petition could not be received. The House must feel, that from the letter, as well as the spirit, of the petition, it was directed against the course of proceedings in that House. It offered comments on what had passed there, infringing on that freedom of discussion which was necessary to their debates, and which could not be infringed without mischief, and was exercised by all the Members on their own responsibility, and without any other restraint. He had given his opinion in a few words, and he hoped explicitly, and that opinion was entirely independent of the merits of the petition.

Mr. O'Connell acquiesced in the observations of the *Speaker*, and the petition was withdrawn.

The *Speaker* approved of that, and observed, that his object was, to prevent any irritated feelings from being mingled up with the discussions and arguments to which the petition might give rise,

Sir R. Vyvyan wished to address the House on the subject of the petition.

Mr. O'Connell stated, that there was no question before the House. He had not moved that the petition should be brought up.

The *Speaker* observed, that the withdrawal of the petition precluded the idea of discussion. If, indeed, the hon. and learned Gentleman had proposed, that the petition should be brought up, the case would be different. There was no motion before the House.

Sir R. Vyvyan expressed great concern that the statements of the petition should go forth unanswered.

The *Speaker* said, when the hon. Baronet spoke of the petition going forth, he forgot, that the petition was not in the possession of the House. The only parliamentary reading of the petition was at the Table, but the petition had not been brought up. The hon. Member had read part of the petition as part of his speech; but before the hon. Member concluded, he had appealed to the Chair, and had made no motion. The hon. and learned Member had acquiesced in the observations made from the Chair, and no motion was before the House—The subject dropped.

THE DUCHESS OF KENT AND PRINCESS VICTORIA.] Lord Althorp brought up a Message from his Majesty to the following effect:—

“WILLIAM R.—His Majesty taking into his consideration,^a that since the Parliament made a provision for the support of her Royal Highness the Duchess of Kent, and the Princess Alexandrina Victoria of Kent, circumstances have arisen which make it proper that a more adequate provision should be made for her Royal Highness the Duchess of Kent, and for the honourable support and education of her Highness the Princess Alexandrina Victoria of Kent, recommends the consideration thereof to this House, and relies on the attachment of his faithful Commons, to adopt such measures as may be suitable to the occasion.”

Message to be taken into consideration to-morrow.

PARLIAMENTARY REFORM — BILL FOR ENGLAND — COMMITTEE — FOURTEENTH DAY.] Lord Althorp moved, that the House should go into the Committee on the Reform of Parliament (England) Bill.

Mr. Cresset Pelham said, the House was so well attended on Saturday last when they met at two o'clock, that he wished much they had adopted that hour for the future. So much business was done then, that he regretted much the subject of the Liverpool election had not been brought before them by way of experiment.

Mr. Stuart Wortley, before the House went into a Committee, begged to ask a question of the noble Lord (Althorp). In the returns presented to the House connected with the Reform Bill he found one, No. 180, which professed to contain an account of the population of those places which were to receive a right of returning Members; he found in the return an account of the population of Doncaster. That town was not, however, in the schedule of the Bill, and he begged to know if it was intended, that Doncaster should have the right of returning a Member to that House?

Lord Althorp said, that as far as he understood, there was no intention to propose that Doncaster should have the right of returning a Member.

Mr. Stuart Wortley said, there were many errors in those documents. No. 111 contained the returns of population, according to the last census, of boroughs and other places, not mentioned in schedules A and B, but there were no less than twelve boroughs omitted, whilst other places were inserted that ought not to be there. In the returns of the assessed taxes for the years 1828, 1829, and 1830, a whole district of Welsh boroughs was omitted. In one of the papers of last session relating to the number of houses in different towns of England and Wales, not above two-thirds of the returns agreed with other documents. For example, the number of houses in Calne was in one 1,014 and in another 2,058. In one return Chippenham had 174 houses, and in another 541. Again, in London, according to one return, there were 17,534 houses, while according to another, there were only 8,503. Such inaccuracies were of consequence. He thought it was very important that papers of so much importance, on which the house was proceeding to legislate, should be free from all objections on the score of accuracy.

The House went into Committee.

Lord Althorp said, the first case for consideration was that of Sudbury. On

Saturday he had recommended the postponement of the case of Sudbury, on the ground, that the statements made required consideration, and presented some difficulties. He was now prepared to adhere to the proposition he had first made to the House, and he would state the grounds upon which he had come to this resolution. It was stated on Saturday, that the borough of Sudbury consisted of three parishes, but that the population of those three parishes was not sufficient to entitle Sudbury, under the rules laid down to return two Members to that House. That being the case, it was contended, that the hamlet of Ballingdon belonged to the parish of All Saints, one of the three parishes in Sudbury; that that hamlet was in the same county as Sudbury, Suffolk; and that it paid tithes and church-rates, and elected a churchwarden for All Saints, and ought, therefore, to be considered as a part of Sudbury. This he understood to be the substance of the statement made on behalf of Sudbury, and he must confess, that it appeared to him to require much consideration before it was rejected. That consideration he had given it, and he would now state his opinions on the case. The claims of Sudbury had been compared with those of Truro; indeed, it had been asserted, that the two cases were precisely similar; but this was not the fact. In the case of Truro there was this remarkable circumstance—the town, in the extended sense, was defined by an Act of Parliament. There was also an Act of Parliament, a Paving and Lighting Act, respecting Sudbury, but that Act did not include Ballingdon. Upon this ground, and with that Act before the Committee, he did not think that Sudbury ought to be taken out of schedule B.

The Chairman put the question, “that the borough of Sudbury stand part of schedule B.”

Mr. *Wrangham* said, that the borough of Sudbury embraced the whole of the parishes of St. Peter and St. Gregory, and part of the parish of All Saints, and that the town of Sudbury embraced the whole of the last-named parish, together with the former ones. Part of the parish of All Saints was beyond the limits of the borough of Sudbury; but the town of Sudbury, a continuous one, extended over the whole of that parish. The noble Lord had said, that the case of the bo-

rough of Sudbury was in many respects similar to the case of Truro. There was a considerable similarity in the two cases; but he contended there was a distinct and great advantage on the part of Sudbury. As he understood the case of Truro, it was this. The whole of the borough was contained in one parish, but the town extended over two other parishes which had nothing at all to do with the borough. Now the borough of Sudbury occupied the whole of two parishes, and the greater part of the third parish, the three parishes composing the town. He therefore asserted positively, that Sudbury, according to the rules laid down, had a superior claim to Truro. It could not be said, that the hamlet of Ballingdon was not a part of the parish of All Saints, for it paid church-rates and tithes as a part of that parish, and was, in every sense of the terms, parochially and ecclesiastically connected with it. In other cases, as in Dorchester and Guildford, the difficulty was, that the new part of the town was in a parish wholly distinct from that or those in which the old part of the town was situated; but in this case there was no difficulty of the kind, nor was there any assumption of a rural population; but here was a case of a town, one continuous town, containing, according to the returns of 1821, a population of several hundreds above the number required, and really, how a distinction could be drawn between the actual town and the borough, he did not at all comprehend. But the noble Lord said, there was an Act of Parliament, a Paving and Lighting Act, for Sudbury, which did not include the hamlet of Ballingdon, and, therefore, that the Committee ought not to include it, although it was not denied, that the hamlet actually formed a part of the town of Sudbury. He certainly was not aware of the existence of such an Act of Parliament, but he would ask what date did it bear? Might not the hamlet of Ballingdon have grown into importance since it was passed? But be that as it might, he had never understood the Committee to be bound by any rule which said, that the limits of a town should be defined by Act of Parliament. The inhabitants of the hamlet of Ballingdon paid church-rates, tithes, and elected a churchwarden for the parish of All Saints, and surely the noble Lord would not contend, that it was distinct, and ought to be treated as such? He

was astonished at the strange and great alteration which had taken place in the views of the noble Lord since Saturday last. He had fully understood, that if the statements made on Saturday, proved upon inquiry, to be facts, the noble Lord would not object to Sudbury being taken out of schedule B. He had received an intimation—he knew not whether such an intimation had been conveyed to the members of his Majesty's Government—but he received an intimation, that it was the determination of a party in that House, to keep Sudbury in schedule B, whatever might be the wish of the Government. The party to which this intimation referred, was stated to act regardless of the principle of the Bill, which it did not think went far enough, and with a determination of disfranchising the whole of the boroughs in the schedule. He knew not whether the Government would be influenced by such a party, but if it was, the proceedings of that Committee were nothing better than a mockery of justice. If a majority of that House was determined to act in this unfair and unjust spirit, the sooner such determination was openly declared, the better, for then many a long and disagreeable debate might be avoided. The conduct of the noble Lord on Saturday, had almost pledged the Government to the removal of Sudbury out of schedule B, and he protested most strongly against the strange alteration which had taken place, in the language of the noble Lord, and the violation of the acknowledged principles of the Bill.

Lord Althorp said, he had received no such intimation as that adverted to by the hon. Gentleman. He admitted the facts to be as stated by the hon. Gentleman; but the hon. Gentleman did not state all the facts. The hon. Gentleman seemed to forget, when he said, that on Saturday it appeared almost to be settled, that Sudbury was to be taken out of schedule B, that since Saturday, he (Lord Althorp) had become aware of the additional fact of the existence of an Act of Parliament describing the limits of Sudbury, in which Ballingdon was not included. He thought that the hon. Gentleman went too far in saying that Ballingdon was a part of the parish of All Saints; for, in fact, Ballingdon was not in the county of Suffolk, but in the county of Essex, and it was separated from Sudbury by a river.

Mr. Wrangham said, that the hamlet

of Ballingdon paid church-rates and tithes, as a part of the parish of All Saints, and actually, in consideration of doing so, elected one of the Churchwardens for that parish. If doing these acts did not constitute it a part of the parish, he should like to hear from the noble Lord what would. In the course of these debates there had been much quibbling, and many rules laid down and broken, but he did not see in what way, except in the way of open violence, the case of Sudbury was to be overcome. The noble Lord found, that Ballingdon was not in the same county as Sudbury. Was that a point of any importance? If it was, what became of Tamworth? He repeated, that he was astonished at the change which had taken place in the view of the noble Lord; there was no sufficient ground for it in what had fallen from the noble Lord; and if the proceedings of that Committee were to be ruled by a majority who cared nothing for the principles of the Bill, then all remark must be useless.

Mr. Cutlar Ferguson intended to proceed upon one plain principle, and had no communication with any party on the subject of his votes. He looked to the places proposed to be disfranchised, according to the census of 1821, and if they did not then contain the population of 4,000, he decided they ought to remain in schedule B. That was the case with Sudbury. He was of opinion that one Member was quite sufficient for any of the boroughs included in that schedule, when they considered that Manchester and Glasgow were to have but two Members each.

Lord Milton denied, that the hamlet of Ballingdon formed a part of the parish of All Saints. It formed part of the parish of Brundon; the parish church of which had long been entirely dilapidated; in consequence of which, the inhabitants of that parish had resorted to the parish church of All Saints, had paid tithes and rates in that parish, and had acquired parochial rights there. Nevertheless, he would vote to take Sudbury out of the schedule, because he thought there was a sufficient connexion with that borough, and the hamlet of Ballingdon, to justify him in calling it part of Sudbury. Schedule B was not so great a favourite with him as were other parts of the Bill, and he was not sorry to find a justification for removing any borough out of it.

Mr. Croker observed, that if the hon.

member for Kirkcudbright thought that the principle of the Bill was the number of the population, he was in error, of which various instances had appeared; according to his principle, neither Tamworth nor Truro ought to have two Members, and other places not even one. The cases of Aldborough, Amersham, and Buckingham, also, might satisfy him, even after the long discussion the Bill had undergone, that he had not yet mastered its principles. For his part, he could see no difference between the case of Sudbury and the case of Truro; and maintained that if the latter was entitled to two Members, the former was equally so.

Mr. *Cutlar Ferguson* intended to vote upon the principle he had before explained; and as he had not voted for Truro, he could not be charged with inconsistency.

Sir *John Walsh*, after alluding to the ground on which the postponement of the case had taken place, observed, that although the Members for the different boroughs attacked, were in duty bound to struggle for justice, his Majesty's Government ought also to aim at justice. Though Ministers suffered Members for boroughs to make out their cases as well as they could, they did not think proper to investigate those cases. He had himself presented two petitions from this borough, and one memorial to the noble Paymaster of the Forces, stating the circumstances of Sudbury; but his Majesty's Government were in utter ignorance of the particulars of the case, until the statements which were made on Saturday. Such proceedings were worthy of attention. Every fact which had been stated to the Committee on Saturday, had been previously laid before his Majesty's Government, and yet the noble Lord stated on Saturday that he was not aware of them. This was a complete justification of the investigation which had been instituted, and which had been called delay. His Majesty's Government had not adhered to the rules respecting population, which it had originally laid down, and it was the duty of every Member to go minutely into every case, and to see whether it did not come under some of the exceptions which had been made. A noble Lord had said, the country would appreciate the real motive of the delay. He trusted the country would appreciate the real motive, which was, to obtain fair, full, and impartial justice. It

must now be evident to every one unprejudiced, that these boroughs would not receive justice at the hands of the Government, for that Government had not even made itself master of the facts laid before it. The noble Lord had asserted, that Ballingdon was not a part of the parish of All Saints. Now, although the noble Lord did not attach much importance to that point, he trusted the noble Lord would do him the honour to attend to him, while he endeavoured to prove that position. For his part he attached great importance to that point, conceiving, that on it, in a great measure, rested the claims of Sudbury. The detail might be dry to the Committee, but it would be peculiarly pleasing, he believed, to the noble Paymaster of the Forces. He would transport that noble Lord at once to the days of black letter, and the reign of the Plantagenets. In answer to what had been stated by the noble member for Northamptonshire, he begged leave to inform that noble Lord—and he had the high authority of *Dugdale's Monasticon* in support of his assertion—that Brundon was never a parish, that the church there, which, as the noble Lord said, had been entirely dilapidated, was not a parish church, but was, in the time of Henry 1st, a chapel, attached to the parish of All Saints; and as a part of that parish, was attached to a monastery. The noble Lord had said, the parish church had fallen into decay, but the truth was, that Ballingdon never had a distinct church. It appeared also, that in the reign of Richard 2nd, in 1382, there was a grant made of the rectory of All Saints, including the hamlet of Ballingdon, to the monastery of St. Gregory in Sudbury. At the Reformation, the rectorial tithes were sold, and the vicarial tithes of Ballingdon continued attached to the parish of All Saints. Having gone into these details, he apprehended he had given a conclusive answer to the assertions of the noble Lord, and fully proved, that the hamlet of Ballingdon was, to all intents and purposes, a part of the parish of All Saints. As to Brundon being a parish, the statement was quite erroneous; it consisted of one mill, one farm-house, and two cottages, and was a part of the hamlet of Ballingdon. He thought this proof must be decisive with every one upon the point at issue; but he had yet another fact to state. Since 1653, the births, and mar-

riages, and deaths in Ballingdon, had been registered in All Saints, and that not in a separate book, kept particularly for the hamlet, but in the common general register of that parish. Antecedent to 1653, no register had been kept in the parish of All Saints. Further, the glebe lands of the vicar of All Saints were situated in the hamlet of Ballingdon. With these facts before them, he contended, that the Committee would be acting most unjustly, if it took for granted that Ballingdon was not a part of the parish of All Saints. But the noble Lord had alluded to an Act of Parliament, and upon that Act his whole argument appeared to rest; but a more arbitrary and unjust measure, except the present Reform Bill, if it passed, could not be found in the Statutes, than an Act which limited the size of a town. Was there any reason, common sense, or justice, in the construction put by the noble Lord upon this Paving and Lighting Act? The noble Lord made the Act say to the town of Sudbury, "These are your limits; into the hamlet of Ballingdon you shall not go; no, not a foot beyond the bridge; and to your present size you are for ever doomed." This was the most unfair and arbitrary construction of the Act that could be adopted. He protested against the borough of Sudbury being continued in schedule B. If it was continued there, it must be in violation of a variety of precedents. It had a large population, and was a more considerable town than any in the schedule, and than many out of it, and ought to be allowed the privilege of sending two Members to that House.

Mr. *Tyrrell* supported the claims of Sudbury. It was the only manufacturing town in Suffolk. It contained a considerable population, and was in a flourishing condition, and he trusted it would be taken out of schedule B.

Mr. *Baring* said, the Ministers had acted in a most capricious way with regard to the franchise of many of the large and prosperous towns of this country. Sudbury was neither a rotten borough nor a nomination borough. It had been frequently contested. It might be that the electors were corrupt, but they were more likely to be corrupt when the 10*l*. franchise was introduced than they were before. The country ought to know upon what principle it was, that some little dirty towns were allowed to retain two Members,

while the prosperous town of Sudbury was to have only one. It was clear, that Hordsham in 1821 had only 1,600 inhabitants, while Sudbury had upwards of 4,000, and was now deprived of one of its Members by a mere quibble. Was there any thing like common sense or justice in this? If in truth it came within the rule laid down by Ministers, that alone was sufficient to prove their rule good for nothing. It would be better and fairer to sweep away at once the whole present system of Representation, and to build up another, *de novo*, than to proceed in this manner. When the House came to decisions of this kind, it was impossible that they could avoid the imputation of partiality.

Lord *Althorp* said, the principle upon which they proceeded was the population returns of 1821, and according to that, Sudbury came within the line laid down of those towns which were to lose one Member. It was clear, that in 1825 the hamlet of Ballingdon was not considered part of Sudbury. This hamlet was in the county of Essex, and Sudbury was in Suffolk. In the Act for paving and lighting Sudbury, brought in in 1825, it was so stated, and Ballingdon was not connected with Sudbury in the Bill.

Sir *Robert Peel* maintained, that no stronger case could possibly be brought forward than that of Sudbury. Undoubtedly Ballingdon was part of the town, and undoubtedly it had more than 4,000 inhabitants in 1821. The noble Lord, who took a different view, had only two things to rely upon; first, that Ballingdon was not part of the parish of All Saints; and secondly, the Act for paving and lighting in 1825. Now, that Ballingdon was part of the parish, there really could not be a rational doubt—it paid taxes, tithes, and church-rates, as part of the parish—it appointed one of the Churchwardens—it had no chapel of its own, so that all the ceremonies relating to births, deaths, and marriages, were performed at the church of Sudbury. In a word, Ballingdon was part of the parish of All Saints, for all legal purposes, and how or why should they then deny the relation? Then as to the Act, he observed, that it was, in itself, a most preposterous piece of legislation; it consisted of 120 clauses, and one of them provided, that all houses thenceforth built in Sudbury should be perpendicular. Besides, no argument could be drawn, even respecting the limits of the borough, from

such an Act. There were numerous instances in which parts of boroughs had been known to be left out in such Acts; and here there was an especial reason why the hamlet of Ballingdon should be omitted. It lay in the county of Suffolk, wherein the Magistrates of Essex had no jurisdiction; there were, therefore, cogent legal reasons why Ballingdon should not be included in the Act. He insisted that no claim could be more satisfactory, or more clearly established, than that which had been set forth for the borough of Sudbury; and he considered the Ministers need not hesitate to do justice in this case, because it was one essentially peculiar, and could not be possibly drawn into a precedent.

Lord John Russell said, that by the Act of Parliament referred to, it appeared that Ballingdon was not, in 1825, a recognized part of the town of Sudbury; nor was it, in his opinion, part of the parish of All Saints. In the Topographical Dictionary, Ballingdon was described as a chapelry within half a mile of Sudbury. He would use the present opportunity to assure his hon. friend, the member for Thetford (Mr. Baring), that the population of Horsham was not divided, as he had described, in 1821. There was no quibble in the case.

Mr. Baring replied, that it was to the population returns of 1831 he alluded. Even in the return of 1821, 2,000 of the population of Horsham were mentioned as being engaged in agricultural pursuits.

Mr. Wrangham said, the only way in which arguments from his side of the House were met, was by drawing contradictory inferences from facts. The hamlet was said to be half a mile from Sudbury. Now he could assure the Committee upon his honour, that the nearest house in Ballingdon was not distant from the nearest in Sudbury more than twenty yards, and they were separated only by a small rivulet, over which there was a bridge. It was a most flagrant injustice to decide on alleged facts, which had no existence, and could be disproved as soon as they were stated.

Mr. Cresset Pelham said, much reliance was placed on an Act of 1825, for paving and lighting Sudbury. He did not consider that, however, to be of material consequence, or decisive of the limits of the borough. Two Acts had been passed for paving and lighting Shrewsbury, the last

of which was introduced about two years back, and to his knowledge a great part even of the borough was not at all included in this Act. He could not conceive that the fate of Sudbury would be made to depend upon such evidence as a local Act of Parliament, which was not obtained for the purpose of defining the limits of the borough.

The Committee divided on the question, "That Sudbury stand part of schedule B." Ayes 157; Noes 108—Majority 49.

List of the AYES.

Adams, C.	Hawkins, J.
Althorp, Viscount	Heathcote, G.
Anson, G.	Heywood, B.
Atherley, A.	Hobhouse, J. C.
Baring, Sir T.	Hodges, T. L.
Baring, F. T.	Hodgson, J.
Barnett, C. J.	Horne, Sir W.
Benett, J.	Hoskins, K.
Berkeley, Captain	Howard, P. H.
Bernard, Lord	Howick, Lord
Blake, Sir F.	Hughes, H. H.
Blamire, W.	Hunt, H.
Bouverie, Hon. D. P.	Ingilby, Sir W. A.
Bouverie, Hon. P. P.	Jeffrey, Right Hon. F.
Brabazon, Lord	Jerningham, Hon. H.
Brayen, T.	Johnstone, J. J. H.
Briscoe, J. I.	Kennedy, T. F.
Brougham, W.	Killeen, Lord
Brougham, J.	Lamb, G.
Brownlow, C.	Langston, J. H.
Bulwer, H. L.	Lawley, F.
Byng, G.	Leader, N. P.
Byng, G. S.	Lefevre, C. S.
Calcraft, G.	Lennox, Lord J. G.
Calvert, C.	Lushington, S.
Campbell, W. F.	Macaulay, T. B.
Carter, J. B.	Macdonald, Sir J.
Chapman, M. L.	Mackenzie, J. A. S.
Chichester, A.	Macnamara, W. N.
Clive, E. B.	Mangles, J.
Colborne, N. W. R.	Marjoribanks, S.
Cradock, S.	Martin, J.
Crampton, P. C.	Maule, Hon. W. R.
Curteis, H. B.	Mills, J.
Davies, Colonel	Morpeth, Lord
Denison, W. J.	North, J. H.
Denman, Sir T.	Nugent, Lord
Dixon, J.	O'Connell, D.
Dundas, Hon. Sir R.	O'Connell, M.
Ellice, E.	Offley, C.
Evans, De Lacy	Ord, W.
Ewart, W.	Paget, T.
Fergusson, Gen. Sir R.	Palmer, C. F.
Ferguson, R. C.	Pendarvis, E. W. W.
Fitzroy, Lord J.	Penrhyn, E.
Gisborne, T.	Ponsonby, Hon. G.
Gordon, R.	Power, Robert
Graham, Sir J.	Price, Sir R.
Greene, T. G.	Protheroe, E.
Harvey, D. W.	Rice, T. S.

Roberts, A. W.	Troubridge, Sir T.
Robinson, Sir G.	Tynte, C. K.
Robinson, G. H.	Venables, Alderman
Rooper, J. B.	Vernon, Hon. G. J.
Ross, H.	Vernon, G.
Russell, Lord J.	Villiers, H.
Russell, C.	Vincent, Sir F.
Sanford, E. A.	Walker, C. A.
Sinclair, G.	Warburton, H.
Slaney, W.	Warre, J. A.
Smith, V.	Wason, R.
Smith, J.	Watson, Hon. R.
Smith, G. M.	Western, C. C.
Spencer, Hon. F.	Whitbread, W. H.
Stanley, E. G. S.	Wilbraham, G.
Stanley, E. G.	Wilkes, J.
Stanley, Lord	Willoughby, Sir H.
Stephenson, E.	Williamson, Sir H.
Stewart, P.	Wood, C.
Strickland, G.	Wood, Alderman
Strutt, E.	Wood, J.
Tennyson, C.	Wrightson, W. B.
Thicknesse, R.	Wrottesley, Sir J.
Traill, G.	

The next question was “that the borough of Totness stand part of schedule B.”

Mr. C. B. Baldwin said, that by the census of 1821, the population of Totness amounted to upwards of 3,000 souls, and including the parish of Bridgeton, which had always been considered as belonging to the town, the population amounted to 4,383 souls. It had at the present moment 213 houses which rented for more than 10*l.* a year. The borough, therefore, was more populous than Calne, Bodmin, Andover, Christchurch, and several other boroughs which had been allowed to retain their two Members. Totness was not a nomination borough, but it was an opulent town, and contained several thriving manufactures. If Bridgeton were considered as a part of Totness, the borough would have higher claims than Truro, and ought to be excluded from schedule B.

Mr. Courtenay said, he had expected that the noble Lord (Lord J. Russell) would have said something in answer to the observations just made by his hon. colleague (Mr. Baldwin). The ground of the application made by his hon. colleague was, that Bridgeton ought to be considered as a part of Totness, and certainly any person who paid toll at the Bridgeton gate must consider himself as in the town of Totness. It had the 300 voters required by the Bill, and there was no occasion to gallop round the country to find them. The case of Totness was certainly not so strong as that of Sudbury, and after the decision to which the Committee came just

now, he was not disposed to put them to the trouble of dividing upon the borough of Totness. He had represented it for twenty years, and was, therefore, well acquainted with it. Upon a former occasion he challenged the noble Lord who brought in this Bill to say whether it was a nomination borough, a rotten, a decayed, or a delinquent borough. The noble Lord did not condescend to answer this challenge. He was satisfied the noble Lord meant no disrespect to him, but abstained from giving an answer because he was not acquainted with the circumstances of the case. Every objection that could be made to the present constituency of Totness would apply with still greater force if this Bill should pass into a law. It was not rotten or corrupt, and for a hundred years no complaint of delinquency had been made against it. Under the new Constitution, and under the new system of Representation, which this Bill would introduce, Totness and other places would become much more susceptible of bribery than they were at present. When there were 300 10*l.* voters, a man who went down to Totness with 4,000*l.* or 5,000*l.* in his pocket might do what he had now no chance at all of doing. As long as he was acquainted with the place he never knew a single instance of bribery there. If he felt conscious that his constituents had thus disgraced themselves, he should not have ventured to say a word in their favour; but, knowing, that no proceedings took place at elections there which were not strictly and entirely honourable, he was bound in justice to protest against the manner in which it was now proposed to treat them. The principle of schedule A was intelligible enough; but, with respect to schedule B, it would create as many anomalies in the new system of Representation as existed in the old, and he would pledge himself to show this at a fitter opportunity.

Lord John Russell said, that if the right hon. Gentleman saw no reason for the borough of Totness being placed in schedule B, he could not see any that would justify the Committee in removing it from the schedule. It was acknowledged, that the borough stood in a similar situation to that of Sudbury, but had not quite so many claims on exemption. As the Committee had decided, that Sudbury ought to remain in schedule B, and as the two cases were admitted to resemble each other, the decision in the one case must

be taken to decide the other. In the present instance there was no proof whatever offered, nothing but a mere allegation that the town belonged to the borough, and unless that were proved, its population did not come up to the required number. The right hon. Gentleman seemed to anticipate that, in future, bribery and corruption would be resorted to, but it was more probable, under the operation of this Bill, that such an anticipation would prove unfounded.

Question agreed to without a division.

On the question, "that the schedule B, as amended, do stand part of the Bill,"

Mr. Croker observed, that he could not let this schedule pass without entering his protest against it, and without saying that, objectionable as the whole Bill was, this particular part of it was the most objectionable. Having thus expressed in general terms his disapprobation of this schedule, he should say nothing further on the subject. The House having, when the schedule was first introduced, discussed the whole principle involved in it under the question whether the word "one" or "two" should fill up the blank in the first line of it; and having subsequently, on the questions relating to Sudbury and other boroughs, discussed the application of that schedule to particular cases, he thought it would be a deviation from the voluntary engagement into which he had entered, if he were to do more at present than declare that 'he protested' most strongly against this particular part of the Bill.

Sir Charles Wetherell said, on this occasion he should take the liberty of summing-up the proceedings that had taken place with regard to the Bill, and especially with respect to this particular schedule. He was happy to include the noble Lord (Lord Milton) among the opponents of this clause. The reforming Ministers had disfranchised fifty or sixty boroughs in schedule A, as being rotten or nomination boroughs; and in schedule B, continuing their work of destruction, they had deprived about forty other boroughs of half their Members. Some of the latter were considerable towns, and the seats of rising and important manufactures, and were to be partly disfranchised, because it was said their constituency was not sufficiently numerous. The Bill proceeded upon no system, except one of destruction, and equally violated principle and consistency.

He would affirm, that the supporters of the Bill differed among each other; so that those Siamese twins, the noble Lords, the members for Northamptonshire, could not agree about all the boroughs; and he had, therefore, had the benefit of the vote of one of those noble Lords upon some of the boroughs in the schedule. In his opinion, this Bill was a Jacobinical insult towards the towns and boroughs it disfranchised. It committed an injustice towards them, in depriving them of their franchise, and it insulted them by the manner in which it did so. The local feelings and prejudices of the inhabitants had been much interfered with in disfranchising, in part, the county-towns; several of which, such as Guildford and Dorchester, were as ancient and respectable towns as any in England. He had referred to the division of opinion between the two noble Lords, the members for Northamptonshire, and he should only now add, that he hoped to see one of those noble Lords, whose ability and experience gave to his opinion considerable weight, become the leader of the Opposition on the schedule C, on the ground that a greater number of towns ought to be put into that schedule.

Colonel Wood wished to enter his protest against this schedule, which, as it was now framed, contained boroughs that could not be inserted in it without a manifest violation of the principle of the Bill. If it was necessary to give additional Representatives to Ireland and Scotland, and Members to the large manufacturing towns, let that be done by any other means, than by partially disfranchising the respectable boroughs of England. He thought there was a disposition on the part of his Majesty's Ministers to force this Bill, and the whole of this Bill, with all its blunders and inconsistencies, through that House; and if, when it had passed there, any indisposition to pass it in that state should be exhibited in another place, whatever might be the consequences of that indisposition, his Majesty's Ministers would be responsible for them. He could not believe, that the public desired so extensive an alteration as the present Bill. They had already disfranchised many nomination boroughs; and he, therefore, should wish to get rid of schedule B, which was of too sweeping a character. They had already 112 seats to dispose of; these would enable them, if properly applied, to

give two Representatives to every place that had a population of more than 12,000 souls, as well as an additional Representative to the more populous counties. This would give more general satisfaction than the present measure, and would be more consonant to the spirit of the Constitution.

Lord *Milton* hoped that, as the learned Gentleman opposite (Sir C. Wetherell) had expressed himself grateful for his (Lord Milton's) alliance, the learned Gentleman would demonstrate his gratitude by voting for his (Lord Milton's) proposition, to give two Members to certain large and populous towns, such as Halifax and Brighton. If the learned Gentleman was so scandalized at the boroughs in schedule B losing one Member, the learned Gentleman must surely be anxious that more populous places than any of those boroughs should have two Members instead of one.

An *Hon. Member* said, that Ministers had acted unfairly in taking the population returns of 1821 as the criterion by which to disfranchise boroughs, and the returns of 1831 as the criterion of enfranchising new places. By not dividing the House on this clause, he wished it to be understood that he did not consider himself as precluded from doing so at some future stage of the proceedings. He certainly hoped that this clause would be re-considered.

Mr. *Keith Douglas* said, that Ministers had proceeded most inconsistently, and without any principle whatever, with regard to schedule B. Their own rules had been unjustly applied, and some Gentlemen had laid down rules of their own, quite separate from those of the Government. Many respectable individuals, resident in the towns disfranchised, would feel greatly exasperated at comparing their situation with that of other towns, not so considerable, which retained their full Representation. They had, however, completed the destructive part of the Bill, and had now to reconstruct the edifice of the Constitution. In looking to the qualification proposed to be created, it was quite impossible to form an estimate of the result of the measure, but he was very much afraid some of the interests, now adequately represented, would not be so under the new system. He had always been prepared to support an extensive measure of Reform, but he considered this as much too sweeping.

Mr. *Stuart Wortley* said, that before this question was agreed to, he thought that there were one or two points upon which the Committee had a right to receive information from the Ministers. Several cases had been brought forward by Gentlemen on that side the House, with great force of reason and argument. These cases, however, had been invariably rejected, while Ministers had, on their own accord, done that with regard to some boroughs which they had been in vain solicited to do with regard to other boroughs. This was the moment at which he thought, that hon. Members had a right to demand from the Ministers an explanation of the grounds on which they had so acted. He begged, therefore, that the noble Lords opposite would now be good enough to state those grounds. For instance, why was Morpeth, with a population, in 1821, of 3,661, but brought, with the addition of some tithings and townships, to amount to 4,260, allowed to retain two Members? Again, there was Malton, which, in 1821, contained 2,339 inhabitants, but, with some townships added, was made up to 4,005, and was now not disfranchised? Was it just or reasonable such places should continue to return two Representatives, while Guildford, a place of much more importance than either of them, was deprived of one? Northallerton, by the same returns, contained 2,626 inhabitants, but then three chapelries and three townships were added, and the number was made up to 4,431. In Tamworth the population was 3,863, but with three townships, two liberties, and one extra-parochial district, it was made up to 7,185. Westbury and High Wycombe were brought up to the standard in the same manner. All these places should have been included in schedule B, if the principles of the Bill, as originally laid down, had been adhered to. Other places had been as arbitrarily included. Strong cases of exemption were made out, for Clitheroe and Cockermouth, in particular, and no explanation had been hitherto given of such inconsistent conduct. He, therefore, called upon the noble Lord for information on these points.

Lord *John Russell* said, that this subject had been repeatedly explained, and that the grounds for which the hon. Gentleman now called, had been more than once given to the House. The hon. Member must be aware that many boroughs

were now under very different circumstances from those in which they had formerly stood. Even in cases where statements of the population and the amount of taxes paid by boroughs could be obtained, those cases sometimes furnished no guide for the regulation of their proceedings with regard to placing such boroughs in the schedule, or leaving them out of the schedule. The rules which had been laid down were adopted upon full consideration, and in the belief that they were calculated to produce the most extensive advantage. The hon. Gentleman must be aware, however, that these rules, though excellent in themselves, could not be exactly applied in all cases, and that there were, of course, particular cases, which would depend only on their particular circumstances. In some instances, if the limits of boroughs, as fixed by the decisions of that House, had been taken as the invariable rule, much injustice would have been the consequence. For the purpose of elections, a borough had, not unfrequently, been confined to one-third of its proper limits by the capricious decisions of that House, before the judgment of election petitions was referred to sworn Committees. Take Shrewsbury as an instance. A considerable portion of that town was deprived of the right of voting, by a decision of that House, because the property in that part of the town was in the hands of a person who was adverse to the Ministry of the day. The population returns formed the foundation for their judgment. They had then obtained further information by means of circulars; and, where the exact limits of certain boroughs could not be accurately ascertained from these sources, they were ready to receive and act upon other authentic information. When these rules had not operated fairly, they had always given way, as was the case with Buckingham, which had several hamlets, that were, in fact, part of the town, being all in the same parish; this place had, therefore, been removed from schedule A. In every instance, as had been proved to the satisfaction of the Committee in the progress of the measure, the Ministers had been justified in not carrying the exceptions further than they had done. Every concession, however, which had been made by his Majesty's Ministers, in reference to those two schedules, had been met with taunts and reproaches, more particularly

on the part of those who had themselves called for such concessions. If the Ministers had committed any fault, it was, that they had shown too great a readiness to listen to the objections of those who desired to show, that they could establish exceptions in their own favour. After all the special pleading processes that had been resorted to, and after all the ingenuity that had been displayed on this subject, he thought that no case of exception had been fairly established which had not been allowed. On the whole, it appeared to him that they had made fair distinctions, and on reasonable grounds, and he was disposed to think, notwithstanding all the ingenuity which had been displayed, and all the efforts which had been made to torture the circumstances of one case into a similarity to those of another, that, on the whole, schedule B had been fairly drawn, according to the population returns and the principles laid down in the Bill.

Sir *Edward Sugden* said, the noble Lord had remarked, that his Majesty's Ministers had met with reproaches from that side of the House for the concessions which they had made, and the noble Lord had spoken as if those concessions had been asked for on that side of the House on private grounds, and as matters of favour. The noble Lord was quite mistaken if he entertained such an impression as that. The concessions which had been called for by those who sat on that side of the House, and some of which had been granted to them by Ministers, had been asked for on public grounds, and in reference to great public trusts, public principles, and large and important bodies of constituency. It was plain from the speech of the noble Lord, that Ministers had found it extremely difficult to act up to the rules which they had themselves laid down, and the noble Lord had summed up their merits in the statement that, on the whole, he thought that they had acted well. This was the way in which his Majesty's Ministers had dealt with the important interests which schedules A and B embraced. They proceeded to their task without proper inquiry or information, and when it was performed in some way or other, they consoled themselves with the reflection that, on the whole, they had acted well. Ministers ought to have made themselves properly acquainted with the circumstances of each particular borough, the amount of

its population, and all other matters connected with it, before they had introduced such a measure as this. The mode in which the noble Lord had dealt with county-towns, and with boroughs possessed of large bodies of enlightened constituents, was not defensible, even upon the principle of the noble Lord's Bill. The noble Lord had abandoned the principle of the Bill in several instances, and had rested his case, as it appeared to him (Sir E. Sugden), upon no grounds whatever. If the authors of the Bill expected it to work well, they must be prepared to make concessions to the respectable minority opposed to it. The rule, it appeared, was, to obtain 300 householders at 10*l.* rent, to form a constituency, and population was taken as a presumptive proof of this number; but some towns, possessing all these qualifications, were excluded; as, for example, Guildford, which had a most respectable constituency, but it was refused two Members, on the pretence that it was divided by a rivulet. At the same time, other places had considerable districts added. Was the same measure of justice dealt to Guildford as to Horsham and Northallerton? If there was any principle in the Bill when it was first brought forward, it had since been abandoned. To these arguments, which he had often urged before, he did not imagine, that the noble Lord, or any of the supporters of the Bill, would be able to give a satisfactory answer. He might be met with the statement that his arguments had been replied to by nothing but laughter and loud clamour. It had been certainly stated, on Thursday last, in a public vehicle, possessed, as he understood, of great weight and influence in the country, that the observations which he (Sir E. Sugden) had addressed to the Committee on the preceding evening, had been met with roars of laughter, shouts of laughter, loud clamour, &c. He remembered very well, that on that evening, while he was addressing the Committee, his attention was directed to a slight laugh which occurred; and he took occasion to refer to it, and to make some observations upon the circumstance. The Paper, however, to which he alluded in giving his observations, had made it appear, that they had been received with "roars of laughter," "shouts of laughter," &c. He did not complain of this as a personal grievance: he cared not for it as such; but he must

say, that it was a lamentable thing, that the debates in that House should be so misrepresented as to deceive the whole country. Whoever had written the report to which he, in this instance, alluded, must have seen, that it was not a correct report of what had occurred on that occasion, and that he had unjustly given a crushing to one party, and a triumph to the other. Such a mode of proceeding was manifestly partial and unjust, and, in the long run, the Government would find that it would recoil upon themselves. If they continued to pursue their present course they would be deceiving the country; and their organs out of the House would also discover, when the people returned to their habitual sobriety and good sense, that their false reports would do their interests that injury from which he, and the hon. friends with whom he acted, wished to rescue them.

Lord Althorp said, that the Committee had uniformly paid that attention to the arguments and statements of the learned Gentleman, which his talents and the respectability of his station entitled him to. It was impossible but that in long discussions, like those which were carried on in reference to this Bill, and in the course of which the same arguments and the same statements were over and over again repeated, instances of inattention on the part of hon. Members must have now and then occurred. The hon. and learned Gentleman, he believed, did not apply any of his observations to him. He had always paid the best attention he could to the arguments of the hon. and learned Gentleman. The hon. and learned Gentleman had complained, he believed, of a report in one of the vehicles of public intelligence; but the hon. Gentleman must be aware, that it was irregular to refer at all to the reports which appeared in those vehicles of information which contained accounts of the Debates that took place in that House. He should now refer to the statement of the hon. and learned Gentleman, as to the principles on which Ministers had acted in reference to the boroughs in this schedule B. He would contend, in the first instance, that it was absolutely necessary that they should take some rule or other to bind them, and on the whole they thought, that population was the best test to enforce the principles laid down in the Bill. There was no general rule which was not attended with its disadvantages, and it was impossible,

when such a rule was adopted, but that some cases should come so near the line that had been fixed upon, that they could not be decided without hardship on one side or the other. Taken as a whole, however, and that was the only way in which a general rule was to be properly considered, he did not think, that the rule which had been adopted in the Bill had operated unfairly. In proof of that, he would state the following facts. The average amount of taxation paid by the boroughs in schedule A was 201*l.*, and the average amount of the taxation of the boroughs in schedule B, was 783*l.* That fact clearly showed, that the boroughs with the larger population, possessed also the greater quantity of wealth, and were better entitled to consideration in a system of Representation. He had stated the average taxation of the boroughs which were totally disfranchised, and of the boroughs which were partly disfranchised. He had now to state, that the average amount of taxation paid by the boroughs which were not disfranchised at all, was 1,209*l.* That fact proved, that the taking population as a rule in establishing a system of Representation was not such an absurdity as it had been described. Particular instances of hardship might be pointed out, but, as a general rule, the rule which they had adopted he conceived was the best one.

Mr. *Goulburn* said, he had no inclination to prolong this discussion. His great objection to the Ministers was, that they were not masters of their own measure—that they were legislating in the dark, and deluding the country by their present proceedings. They were invading the rights of thousands, which had been acquired under the law as it stood, and were doing that without shewing any fair, any just, or any adequate reason. They laid down a rule to-day, which they felt compelled to retract to-morrow—and as to whether boroughs in schedule A paid only 201*l.* in taxation, as against those in schedule B which paid 785*l.*, he utterly denied that such an average Estimate was either fair or honest. Every case should be decided upon its own merits—and a borough should not be deprived of its franchise because of such an average calculation as that stated by the noble Lord (Lord Althorp.) Sooner or later, the noble Lord might depend upon it that the boroughs in schedule B, which had each lost one Member, would raise an outcry against

this injustice. And with respect to the borough of Guildford in particular, he could not see anything more unnecessary or unjust. It was only a week ago that he was at Guildford. He knew its wealth, its independence, and its high character; and he could assure the noble Lord, that the manner in which its inhabitants had been treated, had excited a feeling of disgust which they would not allow to slumber.

Mr. *Stuart Wortley* said, that the questions which he had put to the noble Lord opposite had not been satisfactorily answered by him. He was not one of those who had ever reproached Ministers for the concessions which they had made. They were not concessions made to those who sat on the Opposition side of the House. The hon. Members who sat on that side of the House were fighting the battle of the people in this case, and the concessions which had been made were not made to them personally, but to the truth and justice of their arguments—to the facts which they adduced, and to the rights for which they contended.

Mr. *Baring* said, that it would be found, that in a Reformed Parliament, when the day of battle came, the country Squires would not be able to stand against the active, pushing, intelligent, people who would be sent from the manufacturing districts. He stated this in order to draw the attention of country gentlemen to the wide difference which there would be between persons now sent into the House, and the persons who would come up from the field of coal in the North. They would be persons who would sit in the House from the time the Speaker took the Chair to the time he left it; who would read every paper that was laid before the House, and attend diligently to the business of the country. He stated this, to call the attention of country Gentlemen in the House to the question, whether they would not then be overmatched? Country Gentlemen would have no more chance of contending against such a species of Representation than the Church Establishment had of maintaining itself against the three religious sects, the friends of the noble Paymaster. The Bill involved both disfranchisement and enfranchisement, and perhaps a measure had never been submitted to Parliament that called more for cautious examination and complete discussion than this. A question of such

magnitude ought not to have been comprised in a single Bill, and he would commend, even yet, that it should be separated into a number of distinct Bills. For instance, the disfranchisement clauses were agreed to ; why not bring in a definite measure, confined to those clauses, stating precisely the principle on which they were constructed. He could not help feeling, indeed, that the boroughs in those schedules had been treated with the greatest injustice, and that the course pursued was most absurd and extravagant. The Ministers laid down rules with regard to boroughs containing a population of less than 2,000, and of less than 4,000, but surely there was no necessity to adopt an arbitrary and fanciful distinction with respect to the boroughs and parishes. The result was, that the greatest possible injustice had been committed on the constituency of the country. Could anything be more monstrous, more partial, or more unjust, than to permit Andover to retain two Members, while Guildford was to have only one? Any person acquainted with these places, must, of course, be aware that Guildford was at least three times the size of Andover, and of three times the relative importance. This, again, was the case with regard to the borough of Horsham. According to the rule, the place should contain 4,000 persons, to be entitled to return two Members; Horsham contained only 2,600 inhabitants, and the Ministers gave it the environs, with 900; and adding the surrounding district, made up a population of 4,200. In Andover, also, they went to the surrounding districts to make up a sufficient population. But in the case of Guildford they would not, although the chief town in the wealthy county of Surrey, allow it to include those portions not in the borough. What reasonable ground could be assigned for such gross partiality? It was stated, that the population returns of 1821 were to be the rule, but the rule could have nothing to do with those places. A mere fanciful line had been resorted to, and, from beginning to end, every rational principle had been abandoned. Looking to the county-towns, the Committee had decided in the most arbitrary manner. If the question was put, whether such places as Dorchester and Guildford were entitled to their usual number of Representatives, every unprejudiced person would say, they were, and for their disfranchisement no

reason could be assigned but the will of the Ministers, or some rules laid down by them, without due regard to the consequences. He looked upon the consequences of disfranchising these boroughs as very alarming, and calculated to lead to most deplorable results. But after the noble Lords and their hon. friends had settled in this arbitrary manner the principles of disfranchisement, what did they expect from the new enfranchisement scheme they had propounded? Under the new and popular scheme of 10*l*. voters, if this country should ever happen to have a mob-courting Ministry, afraid to levy taxes, or to take any step which was not popular, he begged to ask, how such a Government could maintain itself? But looking even to the effects of the measure, as it would affect such a mob-courting Ministry themselves, he would ask how they were to return to that House an Attorney or Solicitor General who had instituted an unpopular prosecution, or supported an unpopular tax? According to the system which this Bill was intended to introduce, a Minister required not only to possess general popularity, but also local popularity. He could suppose the case of a Chancellor of the Exchequer consulting local interests, and refraining from levying a particular tax, because it pressed heavily on his constituents. Such a case was not merely fanciful. When Mr. Lushington represented Canterbury, it was said, though perhaps very unjustly, that he never was without a Bill for furthering the interest of the hop-dealers in Canterbury, and an insinuation of a similar description was more than once thrown out with respect to the late Mr. Huskisson, when he represented Liverpool. By the system of popular Representation, which this Bill was calculated to introduce, the Crown would be restrained in its choice of servants to conduct the public business; and the people with their liberties, in his opinion, would greatly suffer—unless, indeed, it was intended to introduce a clause giving the servants of the Crown the privilege of sitting in that House, as Ministers, and not as the Representatives of the people. He begged to know, whether it was the intention of his Majesty's Ministers to propose such a clause in the Bill?

Mr. *Stanley* would readily answer, that there was no intention on the part of his Majesty's Ministers to introduce into the

Bill any such provision as that which had been referred to by the hon. Gentleman opposite. He assured the hon. Gentleman, that it was not through want of deference when he reminded him, that this was not the time to discuss the expediency of such a clause. The question before the House applied to schedule B only; and in the midst of the consideration of that question, the hon. Gentleman asked his Majesty's Ministers, how were Governments in future to bring into that House any individual who should have accepted office—not being, as the hon. Gentleman rather uncourteously expressed it, a mob-courting Minister—if they were to have no corrupt boroughs? That topic might properly have been made part of the discussion on schedule A, but had no connection with schedule B. The argument was, that unless there were corrupt places open to a Ministry, the servants of the Crown could not obtain seats in that House. It was said, that if the nomination boroughs were disfranchised, unless there was a mob-courting Ministry, the members of the Administration could not obtain seats in that House. This argument had no connection with schedule B, because Gentlemen opposite contended that schedule B contained no rotten boroughs, and, therefore, none of the boroughs in schedule B could be used to induct members of the Government into that House. If the question put by the hon. Member had really any thing to do with the Bill, it was certainly one which, like the rest of the hon. Gentleman's remarks, would apply equally well to schedule A, as to schedule B. There was no place excepted from those schedules which could be a nomination borough ["*Yes—Calne.*"] He heard somebody say, Calne; but he would assure that Gentleman, that he was not to be induced then to discuss the principle of the Bill. He would repeat his determination not to enter into the question, whether it might or might not be expedient to preserve places for securing admission to the House of Commons of the Officers of the Crown, without imposing upon them the necessity of courting a mob. It was a question to which the schedule did not naturally give rise, and it was not the intention of the authors of the measure to include in the Bill that alteration in the existing system of our Representation. His hon. friend had paid the country gentlemen but a very poor compliment,

in saying that, in a Reformed Parliament, they would incur the hazard of being overpowered by the Representatives of the manufacturing districts;—that, in fact, the country gentlemen generally were not of that pushing and active turn of mind, and of those habits which would qualify them for competing with the formidable rivals to them, which the great towns would send into that House. He confessed, that he listened to that assertion with no little surprise, for his experience of the House warranted him in affirming, that no Members were more attentive, more regular in their attendance, or more diligent in the performance of their duties, than were the country gentlemen—that very class of Members whom his hon. friend blamed for their inefficiency. On Committees and in the business of the House, they proved themselves as active and as intelligent as any who could find their way into that House; and he felt perfectly assured, that those who came from the barley-field, as it had been called, would not be overpowered by those who came from the coal field. But was it a just reproach to the class of manufacturers that they would attend to their business? were the Representatives of the manufacturing districts to be blamed for doing that in the House which they were expressly sent to do? were they to be blamed because they would do their duty, and would know what was going forward in that House? It would seem that his hon. friend wished to have the agricultural Members so circumstanced that they might come down to the House for an hour or two, then go to dinner, to an evening party, or where they pleased, and in the latter end of the evening give such time or attention to their parliamentary duties as might suit their convenience. But was such known from experience to be the conduct of the country gentlemen, or ought it to be their conduct? Was it to be accepted as a sound argument, in a discussion like the present, that there should be two Members from the barley-field for one from the coal-field, that they might relieve each other, and take the work in turns of opposing the Members from the towns? The effect of the Bill would be, that all the Members of that House would do what they were sent to do—they would be efficient Members of Parliament, they would examine every question for themselves, and not merely come down to that House when they had

no other engagement, to lounge away an hour for the good of the country. The hon. Gentleman's argument was, that one manufacturing Member would be equal to two agricultural Members, and therefore, to make an even balance, that there should be two agricultural Members for every one connected with the manufacturing districts; but this argument involved a severe censure on those Members who represented the agricultural interests, which he was much surprised at hearing from his hon. friend, who was always an advocate for the agricultural interest. When schedule B was first discussed, the proportion of Members given to the north and south of the kingdom was considered. The proportion which at present existed might have been just, centuries ago, when it was established, but it was not just now, when the northern part of the kingdom had increased so much in wealth, population, and manufacturing industry and skill. According to the arrangements even of the Bill, there would be only one Member to every 25,000 inhabitants of the north of England, while in the south there would be one to every 20,000: with such a proportion, he could not admit that any undue advantage was given to the coal-field, or that the agricultural interest was in the least danger from the preponderating weight which the Bill would give to the manufacturing interest in that House; but he believed, that all interests would be in great danger if existing abuses were perpetuated, and great and opulent towns were excluded from their due share and influence in the Representation. It was insinuated that Government had not been just in the application of the rule which had been laid down to particular boroughs, but he confidently asserted, that they had done their best in each individual case, and on the whole, to do equal and substantial justice. Before he sat down, he wished to notice one topic respecting which some misapprehension appeared to have arisen. It was stated, that the assessed taxes in the boroughs to be disfranchised gave an average of 200*l.*, and in those having one Member, an average of 700*l.*, and it was assumed, that taxation was to form the rule, whereas it had been merely mentioned for the purpose of reinforcing the arguments founded upon population.

Mr. *Baring* explained. He had too much respect for the members of the present Government, to apply the epithet

"mob-courting Ministry" to them individually; he used the expression with reference merely to the condition of the future servants of the Crown, and not to the right hon. Gentlemen opposite. No answer, however, was given to his objection, that, before the King appointed his Ministers in that House, he must first inquire whether the individual whom he had thought fit to appoint, had local interest enough to obtain a seat under such a system; the people would possess the initiative power, and the Crown only a veto. It was true, there was tyranny and oligarchy in the world, but there was also democracy and anarchy; and hitherto there had happily existed a balance of power in this country which secured the happiness and liberties of the people. It now appeared, that it was not intended to remedy the inconvenience which must exist from having the Ministers of the Crown dependent on popular and local favour for seats in that House. The right hon. Gentleman's (Mr. Stanley's) own case was a proof that nomination boroughs was not useless in this respect; for, having failed in a popular election, that right hon. Gentleman found his way into that House through the royal, he should not say rotten, borough of Windsor. It was a nomination borough, however; and the right hon. Gentleman's constituents, perhaps, had never seen him, nor heard his name, before he was proposed as their Member. Now this was much better than that the country should be saddled with jobs to secure the favour of local constituencies for Ministers of the Crown.

Mr. *Croker* had listened to the right hon. Gentleman, with the hope that he might throw some light on the principles of the Bill, which had in vain been sought from the noble Lords (J. Russell and Althorp) opposite, but was disappointed. All three united in saying, that Ministers had drawn a line of disfranchisement, which might be considered as the population principle of the Bill. Now, what they on the Opposition side of the House had to complain of was, not that this was or was not a proper line, or that it ought or ought not to be taken as the principle of the Bill, but that Ministers had not adhered to it with strict impartiality; that, in fact, they (the Opposition) could not bind the Ministry to their own principle. How, for example, did they venture to justify the placing Sudbury in its present position?

Its population was above 4,000, and Ministers could not apply to it their "principle," that though the population was so much, it was not the population of the one parish including the one borough: for here was not merely a town and a parish, forming together the requisite number, but the actual town—the streets covered with contiguous buildings furnished more than the required amount. How, then, did they defend their placing it in schedule B, and making it an exception to their own line of principle? By saying that, true it was, that the town contained upwards of 4,000 inhabitants; but that there was a part of the town not included technically within the limits of the borough. What an absurdity! in other cases, as in Calne and Northallerton, they reckoned in whole rural districts, which had no more connexion with the borough than they had with Westminster; and here they will not reckon as part of Sudbury, a portion of the town which is as much connected with it, as the liberties of Westminster are with the city of Westminster; and, how is the distinction, which, even, if true, ought to be of no value, proved? Why, by quoting some *ex parte* statement of a private Lighting Act, which had no reference whatever to such parochial distinctions as the Bill professed to observe. This extraordinary astuteness in making distinctions without a difference and advancing new principles and abandoning old ones as it might suit their particular objects, was just of a piece with their conduct with respect to Appleby. Say they, if the parish and the borough have the same name, we take the sum of their population; if not, we count only the resident inhabitants of the borough. And yet Appleby, which answered to the former description, was disfranchised, under the pretext that its parishes were distinguished as St. Michael's, Appleby, and St. Lawrence, Appleby. Bridport, a thriving, manufacturing, and he might almost say, commercial town, in the same chance-medley way, was disfranchised, because a stream chanced to flow through it, and, because Ministers chose to reckon as the borough only that part of the town which lay on one side of the brook. What, if the Commissioners employed by Ministers had happened to visit that borough a couple of months later in the season? they might probably have found the streamlet dry, and thus Bridport would

be saved from disfranchisement. "But," says the noble Lord, "the line we have drawn is on the whole satisfactory." To whom was it satisfactory? Certainly not to the Opposition side of the House, and certainly not to the noble Lord himself, for how, if it were so, could it be explained, that of the forty-seven boroughs originally set down by him in schedule B, not less than twenty had been since removed from that schedule, or made to change their places by the noble Lord? He had shifted some from A to B, and others from B to A; and some again were removed from both A and B. He was now speaking of the original lists presented by the noble Lord in the outset, as the grounds on which his schedules were afterwards arranged; and he was content, not to reckon as changes of the Ministers original intentions, the removal of the Welsh towns from that list; but after every allowance, it would appear, that eight or nine alterations had taken place in schedule A, and that full one-third of the boroughs in schedule B had been also changed. Such changes might, or might not be right; but they proved, either that the Ministers did not originally understand their own principle, or were obliged by its injustice and partiality to abandon it in a large proportion of cases. This was, also, an admission, that the Bill introduced last Session contained twenty or thirty instances of injustice, and yet it was for not passing that very Bill wholesale, and in the lump, that the late Parliament was dissolved. So much for the satisfaction and consistency of those who framed the Bill. In this awkward dilemma, between their profession of taking some rule as their guide, and their violating it in fact, the noble Lord (the Chancellor of the Exchequer) came to his noble colleagues' relief, and said, "Why, it is true, that the line does not always hold good, but see what a steady light the amount of assessed taxes paid by the several places in schedules A and B, and by those others which retain the present complement of Representatives, throws on the practical effect of the Bill;" and then the noble Lord told them, that it would be found, that the average amount paid by the boroughs to be disfranchised by schedule A, was 200*l.* per annum; of those in schedule B upwards of 700*l.*; and of those which were still to retain two Members 1,200*l.* per annum. But how did the noble Lord obtain those averages? Why, by

actually taking the parish and the borough together, which they refused, in several instances, to do in the Bill itself. This was the fact, and he defied the noble Lord to gainsay it. Nay, this was not all: the noble Lord not only joined the parish and the borough amount of assessed taxes together in those places which were to be retained under the Bill, but actually separated them in those places which were set down for disfranchisement. Thus, for instance, to swell the account of Calne, he reckoned in the whole taxes of the parish of Calne, while in the case of Appleby he calculated, neither of the two parishes and only half the borough itself. By this convenient mode of first begging the very question in dispute, and then striking a general average, there was nothing which might not be shown. Without, however, dwelling on this point, he would take the noble Lord's own selected principle, and, divesting it of the vague delusion of averages, would show, from the individual sums, how it applied to the favoured and unfavoured places. Morpeth was to retain two Members; and therefore, according to the noble Lord, should pay at least 1,200*l.* of assessed taxes. What was the fact? According to the returns on the Table of the House, the amount was but 828*l.* Northallerton was also to retain two Members, and yet its amount of taxation was 300*l.* under the noble Lord's average. Calne paid, according to the returns taken as a test by the noble Lord in March last, but 650*l.*, and yet was to retain two Members. And here, again and again, Calne presented itself and obliged him to observe on a piece of—he knew not how to term it, save as official chicane, with respect to the returns made for that place, which seemed to him to be got up in a way peculiarly calculated to confuse an inquirer, and magnify the borough. He had himself moved for returns of the population and amount of taxes paid by the several boroughs and parishes in England, distinguishing the borough from the parish, and was told, that so far as Calne was concerned, these returns could not possibly be separately made out. Other returns also stated, that the population of the borough and the parish could not be distinguished from each other, but the papers laid upon the Table of the House by the noble Lord, in the month of March last, showed that the population of the borough and the parish had been

distinguished from each other, and the male population of Calne was ascertained to be 996; therefore it was possible to distinguish between the borough and the parish, although the other returns had officially denied the fact; and mark the result: if the returns had been correct, Calne would have been in schedule A; but by confusing and confounding the accounts, Calne had been juggled into the continuance of its full privilege. But, notwithstanding all this care and trouble, the truth escaped by crevices unobserved by the foresight of Ministers; and the House now knew, that Calne had not the requisite population, and the tax returns betrayed, that it paid little more than half of the Chancellor of the Exchequer's average. In short, as he had already stated, its assessed taxes were only 650*l.*, those of Malton were 950*l.*, those of Horsham, 974*l.*, yet all these places, Whig boroughs let it be remembered, were each to retain two Members. So far it was plain, that the noble Lord's average did not apply to the favoured boroughs. On the other hand, if they examined those places to be disfranchised, either wholly or in part, they would find, that the amount of assessed taxes was as much above the noble Lord's average, as those already alluded to fell under it. He could select many instances of injustice, but for the present he should confine himself to five boroughs, all of which were in schedule B, and each of which paid more taxes than the amount taken by the Chancellor of the Exchequer as the standard average of boroughs retaining two Members. The first he should refer to was Huntingdon, a county-town, which paid 1,750*l.* There was another county-town, Dorchester, which, in point of the wealth and respectability of its inhabitants, was fully entitled to its present Representation, was yet put into schedule B, by the exclusion of a part of the town called Fordington, which, however, was so much a part of it, that the boundaries could not be well distinguished, and yet that place was not to be included in the population. To these claims Dorchester united that of paying 2,100*l.* in assessed taxes; and all this was considered as adhering to the fixed line, and to be defended by the evidence of averages. So, of assessed taxes, Guildford paid 1,960*l.*, and Chippenham, 2,231*l.*; and all these boroughs were to return but one Member each, while Calne, with its 650*l.*, was to retain two.

Even Sudbury, with its 1,131*l.* of assessed taxes, was also above the amount of the places he had just mentioned as retaining two Representatives. Northallerton, which was to return two Members, paid only 901*l.* for the borough; but then a parish was added, extending sixteen miles, which gave an additional sum of 227*l.*; making in the whole, 1,128*l.*; being some pounds less than Sudbury paid alone within the square of half a mile. These were some of the anomalies exhibited by the scale applied by the noble Lord (the Chancellor of the Exchequer). He (Mr. Croker) did not think the payment to the assessed taxes, by any means, a bad measure of the claims of a place for representation. He might agree with the Chancellor of the Exchequer, that it was an excellent criterion—but what he complained of was, that the noble Lord, who advanced it in argument, did not apply it in practice. It seemed the strangest mode of reasoning, to state, that the amount of taxation should be a measure of electoral rights, and then to insist on granting the electoral right in direct defiance and contradiction of the principle so advanced. Had it been properly or fairly applied, all the towns he had named, and he believed, all those towns in schedule B, on which divisions had taken place, would still be entitled to return two Members. The right hon. Gentleman concluded by saying, that if any one of the various rules upon which Ministers professed to go with respect to the constituency had been consistently applied, many of the places which were now excluded would have been saved, and, which he could not but think Gentlemen opposite would think of still more importance—many of those called the Whig boroughs could not have escaped disfranchisement.

Lord Althorp said, the right hon. Gentleman's statement was based on a fallacy. In the first place he took the exception for the rule, and in the next place he took for a rule what was never meant for more than an illustration. He had never said, there was any other rule or principle on which the Bill was framed than population: and it was merely as an argument, which sprung up fortuitously in the course of the discussion, that he endeavoured to show, that the amount of assessed taxes paid by the several boroughs and places to be affected by the Bill corresponded in general with the amount of population taken as

the line of disfranchisement. This was the case in general, but not invariably, as the right hon. Gentleman had shown. But population, as he had stated, was the principle of disfranchisement, and not taxation.

Mr. Croker had only to observe, that the argument had emanated from the noble Lord himself, and therefore that he was not responsible for its defects.

Mr. C. W. Wynn could not agree with the noble Lord, that the principle of population was invariably adhered to by the Bill. Indeed, Ministers seemed to act on no one consistent principle, save doing away with the ancient land-marks of the constitution. See how their refusing to take in the adjacent population of a town or borough—the overflowing in general of that town or borough—would apply to the city of London. In point of fact, the resident population of the city was less now than it was a century ago, in consequence of change of habits in the merchants and traders, and the great increase of commerce; so that the very circumstance which ought to entitle London to an increased Representation, would, under the Bill, actually lessen the number of its Representatives. But these were not his chief objections to the Bill; under it the most ancient rights and privileges were destroyed. The Constitution already shook under the blows, for they heard many Gentlemen assert, that they were advocates for this measure, as only the first step to greater and more extensive changes, and he feared it would ultimately lead to Universal Suffrage. With these feelings he must resist the measure.

Mr. Cresset Pelham thought, sufficient exertions had not been used to obtain evidence on which to found their proceedings. Instead of dwelling so much upon rules, the Committee ought to consider facts, and not to decide upon any case without full investigation. They would not then have met with so many, and, in his opinion, proper delays, in every stage of the Bill. The noble Lord (Lord John Russell) had alluded to Shrewsbury; and having made inquiries into that borough he could inform the noble Lord, that in the reign of Elizabeth a part of the city which then formed the suburbs was added to the town, for the purpose of enlarging the constituency. If the noble Lord, therefore, meant to say, that additions had never been previously made for increasing

the number of voters, he was certainly in error. They were so much in want of evidence, that he would recommend a Committee to be appointed to obtain it.

Mr. *Ramsbottom*, in allusion to the observations applied to a right hon. Gentleman, the member for Windsor, denied, that the right hon. Gentleman had sought refuge in that borough, to be returned on the Reform interest. The election had been free and independent, and had he not entertained sentiments of Reform, he would not have been elected.

Mr. *Praed* observed, if that was so, he would ask on what principle the right hon. Gentleman had been returned to a seat in that House? He had always understood that the King's name was a tower of strength in Windsor.

Mr. *Stanley* said, his election had been free and independent. His return had not cost him one shilling.

The question "that schedule B stand part of the Bill," was carried.

Mr. *Bernal* then called the attention of the Committee to schedule C, as follows: "And be it enacted, that each of the principal places named in the first column of the schedule C, shall, for the purposes of the Act, be a borough, and shall as such borough include the several parishes, townships, and places, mentioned in conjunction with, and named in the second column of schedule C; and that each of the said boroughs shall, at the end of this present Parliament, send Members to Parliament; and that each of the principal places named in the first column of schedule D to this Act annexed, shall be a borough, and send Members to Parliament."

Mr. *Goulburn* said, the clause which had just been read, alluded to schedule D. He did not see how they could look at that schedule until they had gone through the details of schedule C. He thought it had been determined they should go through all the schedules to the Bill, before they decided upon any of the other clauses it contained.

Sir *Charles Wetherell* said, they were about to quit the ruinous part of the Bill, and proceed upon the architectural part. They were to build up boroughs out of towns. Before they made Manchester, the first great town upon the list, a borough, they ought to be sure they had not improperly disfranchised other boroughs to accomplish that object.

Lord *Althorp* suggested, whether it would not be better to read the names of places as they stood in schedule C, and confine themselves to those places which Gentlemen might consider objectionable.

Mr. *Croker* considered that the most regular course.

Colonel *Wood* thought, they ought to begin by taking the great counties, and giving the additional elective franchise to them before they considered the cases of large towns and boroughs.

Sir *Robert Peel* said, it would be more convenient to divide the schedule, taking the question of supplying two Members first. They might then proceed with the towns to be formed into boroughs.

Lord *Althorp* had no objection to the proposal of the right hon. Baronet, and he would therefore propose, that the former part of the clause which related to schedule C be read, and that the blank be filled up with the word, "Two."

Question carried.

The question was then put, "that Manchester (including the Townships of Manchester, Chorlton-row, Ardwick, Beswick, Hulme, Cheetham, Bradford, Newton and Harpurhey, in the hundred of Salford, Lancashire) stand part of schedule C."

Mr. *Stuart Wortley* could not understand why it was necessary to give two Representatives to Manchester, and one to Salford. It might be proper that he should state the grounds for this opinion. Manchester was separated into two parts by the river Irwell; one of these divisions was called Irish Hill, the other Salford. This latter place was formerly a suburb, but now formed a part of the town of Manchester, being brought within it by the turnings of the river. In the first Bill brought forward for Reform, Manchester included eight adjacent parishes, of which Salford was one. In the second Bill, Salford was omitted; and in the third Bill, again introduced. The second was the remarkable part of the case, that Salford should be separated, because it was wholly identified with Manchester in character and population. In the event of these places returning Members to Parliament, under the plan now before the Committee, the electors must be *bonâ fide* householders, of the value of 10*l.* a-year and upwards, and he found the number of such houses in both places amounted to about 32,800. Now, the Tower Hamlets district would exceed this number by 4,000;

Marylebone by 8,000; and Liverpool by 244. If they took the amount of the assessed taxes as a test, the result would be the same. In Manchester and Salford these amounted to 149,000*l.*; while the Tower Hamlets were assessed at 182,000*l.*; Finsbury at 205,000*l.*; Marylebone at 292,000*l.*; and Lambeth 205,000*l.* The only argument in favour of Manchester was, its being the centre of the cotton trade, and as this trade would otherwise be adequately represented, he thought this argument of no importance, compared with the great inconvenience arising from widely distributing, into separate divisions, the system of Representation, instead of combining the parts of one district, and keeping the different interests balanced. Such an argument applied particularly to places where the population was numerous, and a large proportion of the lowest orders, who, from their living and acting together in numbers, would be always subject to some kind of excitement. Such a class of persons could, in this case, pass from one to the other town, and, by tumult and riot, put down all opposition to their own wishes; whereas, if the two places had only two Members, and the election took place at Manchester, there would, he thought, be a balance of parties, and the peace be preserved. He should, therefore, move, as an amendment, that the Townships of Salford, Pendleton, and Broughton, be added to the Townships already given to Manchester, and the whole should return only two Members.

Mr. *Hunt* said, that there was a great distinction between Manchester and Salford, even more than there was between London and Southwark; for in the latter case the Corporation of London had jurisdiction in Southwark, while in the former, the two towns had entirely separate jurisdictions. He therefore trusted, that the Ministers would not for one moment listen to the proposition which the hon. Gentleman had made. While the question was the disfranchisement of boroughs, he had not always been able to agree with the Government; but now that they had come to the enfranchising part of the Bill, he could assure the Ministers that they would meet with no opposition from him. If Manchester by itself was not to have two Representatives, after all they had heard of the injustice done to Birmingham, great dissatisfaction would prevail.

Mr. *Heywood* said, he could not refrain from expressing his satisfaction, that an act of justice, so long delayed, was at length about to be conferred on this opulent and important manufacturing town, which had now become one of the most flourishing marts of industry and traffick in the whole British empire. The population of Manchester and its neighbourhood had increased within the last sixty years from 40,000 to 270,000, being an increase of 230,000. The township of Manchester alone contained 129,000 people. It was unnecessary to point out how great had been the increase of its manufacturing establishments, its machinery, and other interests, within that period. A place of this importance ought to have its proportional share in the scale of Representation. At the present moment the population of the parish of Manchester was as great as that of the whole county of Lancaster, within the memory of some of its present inhabitants. Within that period there had been an increase of a million of inhabitants in the whole county. Salford was a distinct town from Manchester—as distinct as the borough of Southwark was from London, and separated in the same manner. It contained a population of 50,000 inhabitants, it had distinct interests, and it would be, therefore, unfair to throw it into the Representation of Manchester. There were other great towns in the county of Lancaster, such as Ashton, the population of which was 33,000, Blackburn with 22,000, Rochdale with 33,000, and Burnley 13,000 people, all increasing in industry and intelligence. The whole county, with a population equal to several of the southern counties, only returned fourteen Members, and of these only six were sent by the popular voice. It was beyond his power to state the deep conviction that prevailed in Lancashire of the value of returning Members. He had himself been most unexpectedly called on, and with no other passport than a promise to support Reform, he had been sent to Parliament. He must, in fact, state, that his own triumphant return for that county—not triumphant as far as related to him on personal grounds, but as respected the principles of that great measure of which he was known to be the advocate, was a strong, and a decisive proof of its necessity. He concluded by impressing on the Committee the justice of giving Salford a Representation distinct from Manchester.

Mr. *Cutlar Ferguson* said, they had been debating several days, whether a doubtful population of 4,000 persons, more or less, should continue to return two Members to Parliament, and when that question had been disposed of, he was surprised to hear it asserted, that a condensed population of 187,000 ought not to have two Representatives. The arguments of the hon. Gentleman who proposed this, if of any value, only went to shew the necessity of additional Representatives for large towns, instead of deductions. It had been proved, that the wealth and population of Manchester exceeded that of all the boroughs in schedule B; and the parish of Pancras alone, paid more than double the amount of taxes paid by all the boroughs in schedules A and B.

Mr. *Slaney* wished to be allowed to make a few remarks, in reply to what had been said by a right hon. Baronet (Sir R. Peel), of the advantageous change in Representation about to be made, in favour of the coal districts. The increase of population and wealth in these districts, was the cause of this. In most of the large manufacturing districts, the population had increased fifty per cent in the last twenty years, while the population of the whole country had not increased above twenty per cent., in the same period. In Liverpool, the population had increased fifty-two per cent; Coventry, fifty-three; Birmingham, forty; and Glasgow 100 per cent, in the period referred to. As an instance of the increased and comparative wealth of those places to which the franchise was about to be extended, he would mention, that thirty-eight of the new boroughs to which they were about to give Representatives, paid, on an average, 26,000*l.* a year each in assessed taxes, which was 260 times more than the average of the taxes of all the boroughs from which the franchise was about to be transferred.

Mr. *Ewart* corroborated the statement made by the hon. member for Lancashire, as to the immense increase of wealth and population of Manchester. He perfectly concurred in the act of justice now about to be done to that place, which was hourly increasing in importance. The inhabitants of Manchester had recently established a silk-market, and he hoped they would rival the whole world, now that the two great places of Manchester and Liverpool were so closely connected, by the great

work recently completed, which united them so closely, that they might be said to be almost one town.

Lord *J. Russell* said, that in the first Bill introduced, Salford and Manchester were joined together, but it was found afterwards, that local jealousies would prevent them from doing well together, and, considering the wealth and population of Salford, it was not too much to give one Member to Salford, and two to Manchester.

Mr. *Cresset Pelham* objected to the principle so much insisted upon by hon. Members, of giving Members to population, and not to property. To hear hon. Members speak on that side, one would infer that manufactures were the road to population and wealth, and that agriculture was the road to ruin; but when hon. Members talked of the great increase in the manufacturing districts, they omitted to notice that the increase in the population of Sussex, was as great as that of any manufacturing district. At all events, he hoped the new Members for the manufacturing districts, would remember, they came to that House as Representatives of the whole empire, and not for the advantage of a particular district.

Mr. *Stuart Wortley* said, that though he admitted, that Manchester and Salford were distinct as to their local arrangements, yet practically, they might be considered as one place, and giving a Representative to Salford, was, in effect, giving three Members to Manchester. He would not, however, divide the House upon his amendment.

Sir *Robert Peel* contended, that his hon. friend was perfectly justified in calling the attention of the Committee to this subject, as the noble Lord (Lord J. Russell) had himself, when he proposed to extend the franchise from Penryn to Manchester, included Salford, and had done so in the bill of last Session. At the same time, as far as the question of separate Representation depended on the fact of Manchester and Salford being distinct, he admitted the force of the arguments of hon. Members opposite. If, however, Salford was to be enfranchised, he thought the noble Lord was holding out a premium or bounty to future contests, by giving it only one Member.

The amendment withdrawn, and the original question, "that Manchester, includ-

ing the townships of Manchester, Chorlton-row, Ardwicke, Beswick, Hulme, Cheetham, Bradford, &c. stand part of schedule C," again put.

Sir *Robert Peel* said, they were now out of the disfranchising clauses, and were proceeding to those of enfranchisement, and he rose to protest against that part of the Bill which had for its object to enfranchise large towns at the expense of boroughs. If these were considered as spoils taken from places which had long enjoyed the privilege, he should decidedly object to the principle. He objected also to the principle, because it went to enfranchise so many towns. At the same time he was called upon to state, as he had done previous to the dissolution, that, looking at the difficulties which the Government had to contend with, and though differing as he did from a majority of the House on the subject of Reform, and taking into account the circumstances of the country, he should not throw any obstacles in the way of a moderate Reform. As a member of the late Government, he had opposed the enfranchisement of large towns, not because he apprehended any immediate dangers from such a measure, but because he was afraid of entertaining the question of Reform at all, and was fearful that any plan of Reform, limited exclusively to enfranchisement, proposed by a Government which had been previously opposed to all Reform, would not give satisfaction, and would not, probably, be permanent, considering the feeling of the country on the question. On coming to schedule C, he should consider himself privileged to object to any of the clauses, particularly if those clauses should be urged on the ground that the boroughs in schedules A and B, had been disfranchised, and that the vacancies caused by the disfranchisement must be filled up. What he meant was, that he would not consent to any enfranchisement on the ground that disfranchisement must be a necessary preliminary. With regard to the first clause, and notwithstanding the feelings of the country, he must say, that disfranchisement as a rule was unjust, and on that point he was prepared to yield nothing. Having regard to the prevailing opinion of the country, however, he thought it impossible to deny the right to Manchester, the first place mentioned in the schedule, to send Members to Parliament; but he thought that the principle of disfranchise-

ment was unjust. He thought the rule adopted by Ministers an absurd one; there was no sufficient ground, in his opinion, for disfranchisement, but he was not prepared to say, that he would not yield on the score of enfranchisement. He thought that it was impossible to contend against the feeling of the country on the subject, and he was not disposed to diminish the favour of concession by unavailing opposition. But if he were proposing enfranchisement, he should say, that in all cases he would give the enfranchised place two Members, not one. That was, if he had fifty Members to give, he would select twenty-five places, and give each place two Members, rather than select fifty places, and give to each one Member. He certainly thought, that the enfranchisement proposed was much too extensive; but as it was, if priority were given to any place, Manchester certainly deserved to be the first place enfranchised. Birmingham also was fairly entitled to the same advantage, and then followed Leeds, which ought to have the same privilege. On former occasions these were the towns to which it was proposed to give the forfeited franchises; then the franchise of Penryn was to be given to Manchester: that of Grampound to Leeds; and that of East-Retford to Birmingham. That was proposed by those Gentlemen who were favourable to the transfer. To the three towns which stood first, he had no objection; to the fourth town on the list he should object. He never could have supposed when he heard of a Reform Bill, that Deptford, and Greenwich, and Woolwich were to send Members to Parliament. He believed, too, they dreamed as little of it themselves as he did. He understood that the principle of the Bill was, to destroy nomination boroughs; and yet it was proposed to give the franchise to Woolwich, Greenwich and Deptford, places under the immediate influence of the Government, and by that means to constitute an enormous nomination borough. He objected also to the enfranchisement of the metropolitan districts. If it were desirable to give those districts increased Representation, he should prefer doing so by adding two Members to the county of Middlesex. The proper principle upon which to give Representation was population, in order that large masses of the people might have a voice in the Representation. On these grounds, and seeing the impossibility of resisting the proposed enfranchisement to

certain large towns, he would not waste the time of the House by discussing or opposing the enfranchisement of Manchester, Birmingham, or Leeds, and no man more sincerely hoped that this change would turn out for their good. Taking, however, any single case—taking the town of Manchester, and the description given of it by hon. Members, as to its increase in population, wealth, and industry—he would ask, was not this very increase the best proof, that the right of sending Representatives was not necessary to improvement, and that towns could flourish without having Representatives within the walls of the Temple of the State? Enfranchisement certainly was consistent with the practice of former times, but it ought to be recollected there was no corresponding disfranchisement. On these grounds he would not make any objection to the enfranchisement of the first three towns in C; but he should reserve the right to deliver his opinion on all the other places included in that schedule. When the Committee came to Greenwich, Deptford, and Woolwich, he should move, as an amendment, that they be omitted, because he considered they were under influence—because it was dangerous to give the franchise to places in such proximity to the House—and because, both from moral and physical strength, they might influence the deliberations of that House. For these reasons he would take the opinion of the Committee on giving the franchise to Greenwich, and other places close to the metropolis. But he should consider himself at liberty to form what opinion he pleased with respect to the other proposed boroughs. He should certainly propose that Greenwich be omitted from the schedule C, and take the sense of that House on the question, because he objected to the undue influence which the metropolitan districts exercised over their Members.

Lord *John Russell* said, he was glad to find that Ministers were to have the right hon. Baronet's support on one point at least, though he could not help thinking that the right hon. Baronet's present declarations were a little inconsistent with his former opinions. The right hon. Baronet had now no objection to enfranchisement without disfranchisement; but he must declare his decided opinion, that such a thing was impossible. He did not believe that the right hon. Baronet would find it

any more possible to carry on the Government by the help of the 111 Members, representing the boroughs in schedule A, than to exclude Manchester and Birmingham any longer from sending Representatives to that House. The public opinion had expressed itself as decidedly on the one subject as on the other. The right hon. Baronet had, in fact, broached a new plan of Reform, but he did not think it would prove satisfactory to the country. As he stated before, he was glad now to have the right hon. Baronet's support in the proposal to give Representatives to Manchester, Birmingham, and Leeds. He would argue the case of Greenwich with the right hon. Baronet when it came before the House, but he must at present observe, that the right hon. Baronet's assertion, that Greenwich had no wish or suspicion that it would receive Representation was incorrect. Previous to the introduction of the Reform Bill, Greenwich had sent a petition to that House praying that its ancient right of returning Members might be restored. He supported the extension of the franchise to the metropolitan districts, which contained a vast population, and possessed a rental of some millions a-year; and he did not see why, because they were situated close to the metropolis, the capital of all the wealth and intelligence in the country, they should not receive Representation as well as Leeds or Birmingham.

Sir *Robert Peel* wished to make one or two observations on what had fallen from the noble Lord opposite. The noble Lord could not imagine how any person could support enfranchisement without disfranchisement. But he told the noble Lord, that one was a question of expediency, and the other of justice; and those who might be prepared to yield to the point of expediency, might still think themselves justified in resisting proposals which, in their opinion, were founded on injustice. But the noble Lord had said, "You who have been against Reform, never should be a Reformer: you are cut off from all possibility of ever becoming a Reformer, and not even the circumstances of the country (altered in consequence of one Government leaving office because they would not concede Reform, and another coming in pledged to grant it; altered by the sanction of the King's Government and the King's name being given to their

plan of Reform, and by the weight and influence of the royal character being taken away from the Constitution, as it had hitherto existed, and transferred to the support of an extensive change) will form any excuse for your turning Reformer." And was it the noble Lord who said, that he ought to allow no change to take place in his opinion, on the subject of Reform? Had he ever taunted the noble Lord with a departure from his principles? Had he said, that he would bind the noble Lord down to the opinions which he had formerly expressed? If the noble Lord's doctrine, that no change should take place in a man's opinions, was to be considered as correct, what must be the feelings of his two right hon. friends opposite (probably Mr. Grant, and Viscount Palmerston) who, for fifteen years past, had distinguished themselves for their adherence to the political opinions of Mr. Canning, whose domestic policy was marked by the most decided resistance to Reform in every shape. But did he deny to the noble Lord, and his right hon. friend, the perfect right to take what course they thought fit, on account of the altered circumstances of the country, on the question of Reform? Had they any other reason or pretext to assign for their support of the present measure, except the altered circumstances of the country? In 1826, when the application of the forfeited franchise of Grampound came to be considered, what course did his noble friend (Viscount Palmerston) take? Did he concur in the expediency of transferring it to some large town, or did he not rather adhere to the policy of Mr. Canning, and vote for transferring it to the neighbouring hundred. Had he (Sir Robert Peel) even insinuated that there was anything unworthy in the course which the noble Lord (Lord John Russell) had pursued? But he thought that the noble Lord, after the speeches which he had made, and the able treatises which he had written on the subject of Reform, and flanked as he was on the right hand and on the left by persons who had always opposed Reform, should be the last person to taunt his opponents with change of opinion on the subject of Reform. He knew not what possible advantage would result to him by changing his opinion, if change there was. He had uniformly held the same language, since the Question had been under consideration. After the change of Government had taken place, he declared, that

rather than risk another change of Government, in the then state of the country, he would lend his assistance to the Government, in the hope that some moderate plan of Reform would be proposed, to which he should be able to give his consent with justice. He still adhered to his declaration, and would support such parts of the Bill as he could without violation of principle, and perpetrating injustice, and in spite of the taunts of the noble Lord, he intended to persevere in the course he had marked out for himself.

Lord John Russell stated, that when he observed, that he could not reconcile the right hon. Baronet's observations to-night with his former opinions, he did not allude to the conduct of the right hon. Baronet in former Parliaments, but to the declarations which he had made that night, and ever since the Reform Bill was brought in. If he understood the right hon. Baronet's declaration rightly, it was this—that he objected to give enfranchisement to large towns, because it set the question of Reform afloat, and led to still further changes. Now he did not understand how the right hon. Baronet, consistently with that declaration, could be ready at the present moment to grant the franchise to Manchester, Leeds, and Birmingham. He thought, that if the right hon. Baronet kept to his first declaration, that would be an intelligible course of proceeding. He wished to throw out no taunt against the right hon. Baronet; but, holding the place which he did in the country, he was bound, if he became a Reformer, to take a line which would give permanent security to the country. He thought, however, that the right hon. Baronet had assumed a line by which he would find it impossible to govern England.

Sir Robert Peel said, that he was willing to adhere to his opinion, and not take any share in the Government. He was ready to pay that penalty for his opinion. He would not be a party to the hazard which he thought they were incurring by this Bill. He would infinitely prefer paying the penalty of permanent exclusion from office, to sharing the noble Lord's responsibility. But the proposal which he had made to-night was, in reality, the proposal which the noble Lord had himself made a few years ago. The noble Lord had thought proper to change the proposition which he first

made, to grant compensation to the disfranchised boroughs, in consequence of the altered condition of the country, and that was the excuse he then offered for his own change of opinion, viz., the altered circumstances of the country.

Mr. *Hunt* said, the right hon. Baronet (Sir Robert Peel) had founded an argument on the rising prosperity of Manchester, that Representation was not necessary to insure greatness; but, during this time, had the people not been constantly petitioning for Members? He begged to call the attention of the Committee to what had transpired upwards of ten years ago, at Manchester. At that time the people of Manchester were attacked by an armed Yeomanry, and ever since they had continually demanded Reform. If ever there was a period when that circumstance ought to be alluded to in that House, the present was that moment. Ten years ago, they met for the purpose of petitioning for a Reform in the Commons House of Parliament, and the abolition of the Corn-laws—[cries of “*Oh, oh!*”] If those hon. Gentlemen who now cried “*Oh, oh!*” had been there, they would have cried “*Oh, oh!*” a little more in earnest. He was present, when this armed Yeomanry charged a peaceable multitude, and killed sixteen persons, and badly wounded 618. It appeared to be a very laughable subject to some hon. Gentlemen. He begged to say, that, if the principles of the right hon. Baronet were to be acted upon, the Yeomanry would have to kill the people again. He would repeat, that, if Reform were not granted, the arms of the Yeomanry would have to be put in requisition, in various parts of the country.

Mr. *Calley* reminded the hon. Member who had just addressed the Committee, that he had been in a Yeomanry corps, and, therefore, he was surprised at the hon. Member attacking them. He (Mr. Calley) could affirm, they were a brave and intelligent body, and had always shewn great forbearance, and a desire to conciliate the people.

Mr. *Hunt* admitted the fact, that he had been a Yeoman, thirty years ago, and he would moreover allow, that the corps to which he belonged certainly did run away on the first occasion of their being called into active service.

Sir *Charles Wetherell* said, that he had objected at the time to the enfranchisement

of Bassetlaw, because he felt, that a sufficient number of the electors of East Retford had not been convicted of bribery, and, therefore, he could not consent to the disfranchisement of that borough. But he had never contended for the impossibility of giving new representative rights to new places. He had no objection to give the right of Representation to Manchester, but to give that town a franchise, which had been unjustly and illegally spoliated from another town, was a point to which he, for one, would never willingly consent. That was the ground of his reluctance to disfranchise any borough. As to the collateral proposition, however, of giving the right of Representation to Manchester, he admitted, that it might be possible to bestow upon Manchester the right of sending Members to that House, provided that right was not the spoil of another borough. The Representation of Manchester involved, as it appeared to him, three principles. The first principle was—what ought to be the qualification of the voter? Another was—what districts ought Manchester to be composed of? and the third was, ought they to establish a rule or an exception, in giving the franchise to such a town as Manchester? If the right of Manchester to return Members were to be put on the ground of population, then they would have to introduce a new feature into the House of Commons; for that House had never, at any period, been framed on the basis of population. If he should be induced to support the proposition for giving Members to Manchester, it would not be, whilst the Representative was to be elected on the principle of Universal Suffrage; and, if he were to give the elective franchise to 10*l.* householders in that town, he knew that he should be making the suffrage universal. He contended that, according to the present Bill, the Representation of Manchester, and, indeed, of every other place in schedule C, was founded upon Universal Suffrage. As the points to which he had alluded formed the whole essence of the qualification to entitle an individual to a vote in future, he should have no objection to the enfranchisement of Manchester, subject to certain limitations on the right of voting, which it would be improper then to discuss. When they came to the 10*l.* clause, as it was called, he should deliver his opinion on this subject.

Lord *Althorp* would not follow hon. Members into the lengthened discussion into which they had entered, on the districts which were to compose Manchester. The hon. and learned gentleman had stated, that in giving his vote for granting the right of Representation to Manchester, he must take into his consideration three circumstances—first, the qualification of the voter; secondly, the district to be included in Manchester; and lastly, the question whether the case of Manchester was to be considered as the case of exception, or the general rule, in instances of this sort. As to the qualification of the voter, he thought that the hon. and learned Gentleman agreed with him, that the present was not the proper time for deciding that point: the proper time would be, when the qualification clause came under the consideration of the Committee. When that clause came to be discussed, he should be ready to argue, that the qualification fixed in the Bill was the best that could have been selected. As to the second point, it was necessary that they should come at once to some agreement as to what was part of the district to be included in the new borough of Manchester. Ministers said, that the parts included in schedule C, were to form Manchester. Now he had understood the hon. and learned Gentleman to say, that he had no objection to that. As to the third point to which the hon. and learned Gentleman had alluded, Ministers had no right to expect that that hon. and learned Member would vote for the enfranchisement of Manchester, upon the same grounds upon which they voted for it. As to the hon. and learned Member's objection, that the grant of this right was the spoliation of another borough, he would only say, that the disfranchisement of other boroughs might not be necessary, if only Manchester and one or two other places, were to be admitted to the exercise of the elective franchise. But it was impossible, that the enfranchisement should be as large as it now ought to be, unless room were made for it in the Representation, by the disfranchisement of the small and corrupt boroughs. Ministers considered the small corrupt boroughs, to be an evil in themselves; it was, therefore, an advantage to get rid of them, because, by so doing, they made room for the enfranchisement of large and populous towns. His principal

reason for addressing the Committee on this occasion was, his desire to make a proposition to the right hon. Baronet opposite. As that right hon. Baronet had stated, that he had no objection to enfranchise Manchester, Birmingham, and Leeds, would he have any objection to allow that part of the schedule to be disposed of that night, and to proceed to the consideration of the remainder of it to-morrow?

Sir *Rob. Peel* said, that at present, from recent experience, he had great objection to enter into any arrangement at all. He did not mean to oppose any unnecessary obstacle to proceeding with the rest of the clause. He would, therefore, let Birmingham, Manchester, and Leeds pass, without opposition, for the present. To-morrow, the Committee might take the discussion on the rest of the schedule. If it should turn out that there was any thing to be urged, as to the local districts of the three places which he had just named, perhaps the noble Lord would permit them to agitate it to-morrow.

Sir *Robert Inglis* said, his objections to the enfranchisement of Manchester were very strong. He objected to granting the elective franchise to Manchester, because it had been taken from boroughs which had been convicted without examination, and condemned without hearing or trial. They were increasing the strength of the democratic part of the Constitution, at the very moment that they were diminishing the strength of the aristocratic part of it. Whilst they were sweeping away those parts of the Constitution in which the aristocracy were intrenched, they were creating new works, from which the democracy might easily batter down the remaining fortresses of the aristocratic party. These were the principles which had induced him to oppose all measures of Reform, and with this feeling, he took the present opportunity to state, that his objections still existed in all their force. Question carried.

The Question, that the words "Birmingham, including the town of Birmingham, parish of Edgbaston, townships of Dudston and Nechels, and Deretend, Warwickshire—Returning Officers, the two Bailiffs of Birmingham," stand part of schedule C, was then put.

Lord *John Russell* proposed, as an amendment, that the township of Vitcham should be added to this district.

Mr. *Croker* must object to the addition of any particular township in this manner, which he should repeat on another occasion.

Mr. *Stuart Wortley* begged to ask the noble Lord, whether he had inquired if these towns were properly designated in the schedule.

Lord *John Russell* replied in the affirmative.

Question, as amended, carried; as was also the question, that the words "Leeds, including the borough and liberty of Leeds, Yorkshire—Returning Officer, the Mayor of Leeds," stand part of schedule C.

The Chairman reported progress. Committee to sit again the next day.

HOUSE OF LORDS,
Wednesday, August 3, 1831.

MINUTES.] Petitions presented. By the Marquis of WESTMEATH, from the Land-holders of Clare, against the System of Grand Jury Taxation (Ireland). By the Bishop of LONDON, from the Clergy of the Diocese and County of Hereford, Doncaster, and Dorking, to extend the powers of the Church Building Act. By Earl GREY, from the Sheriff, Freeholders, and others, of the County of Dunbarton; Inhabitants of Weymouth, and Melcomb Regis, Brecknock, Royal Burgh of Anstruther, Easter, Galstoun, Londena, Denny, Ballycallan, Kilmanagh, and Killaloe, Palles Green, Athlone, and Tipton, in favour of Reform; from the Roman Catholic Bishops' (Ireland), and Inhabitants of Ross, Hereford, for the introduction of Poor Laws into Ireland; from the Roman Catholic Bishops' (Ulster), for participation in the Grants for Education; from the Roman Catholic Freemen of Londonderry, praying they may not be required to take the Oaths of Allegiance at each Election; from the Inhabitants of Donoughmore, for an alteration in the Grants for Education (Ireland); from the Corporation of Smiths (Dublin), for Compensation to the Coal Meters of that place; from the Roman Catholic Clergy, Irish Bar, and Resident Magistrates of Galway, three Petitions, to extend the Elective Franchise to Catholics at that place; from the Protestant Inhabitants of the same place, for the Repeal of 4th, George 1st, requiring the Freemen of Galway to be Protestants. By the Earl of CARLISLE, from the Inhabitants of Exeter, against Capital Punishment for Crimes against Property only.

BEER BILL.] The Bishop of London presented a Petition from fifty Clergymen of the counties of Chester and Lancashire, praying for an alteration in the Beer Bill. It had been said, that the clergy had not come forward with any petition against this measure, and it had thence been inferred, that it had not been productive of the bad consequences which some had represented as resulting from it. He himself personally knew the petitioners, and could speak to their respectability; and they stated, that the Beer Act had been attended with very bad consequences in the parishes with which they were connected; that it had

encouraged vice and immorality; and particularly, that it had led, in a great degree, to a disregard of the Christian Sabbath, and had taught even children to become drunkards. He had heard, from all quarters, complaints of its bad effects; and he was assured, that unless it were materially altered, the consequences would be of the most alarming description. He had received letters from clergymen, declaring that they could not find language to describe the lamentable results of this measure.

Petition laid on the Table.

KING'S MESSAGE.—PROVISION FOR PRINCESS VICTORIA.] Earl Grey moved the Order of the Day for taking into consideration his Majesty's Message relative to the making an additional provision for the Duchess of Kent and the Princess Victoria.

The Message was read; for which see *ante* p. 584.

Earl Grey said, their Lordships having heard this recommendation of his Majesty to make a further provision for her royal highness, the Duchess of Kent, and for the maintenance and support of the honour and dignity of her royal daughter the Princess Alexandrina Victoria, he was not aware, that it was necessary for him to say any thing in support of that recommendation. He was persuaded, that their Lordships would be fully sensible of the propriety of making an augmented provision for her royal highness the Duchess of Kent, when it was considered that she was the mother of the presumptive heiress to the Crown; and he was also persuaded, that their Lordships would feel the propriety of making a further provision for the education and for the maintenance and support of the honour and dignity of her royal highness the Princess Victoria, when it was considered that she would, in all probability, be the future Sovereign of this empire. It was, indeed, of the last importance, that ample provision should be made for the support of the honour and dignity of the Princess, and for giving her the best possible education, so as to prepare her for the adequate execution of those high and important duties which she might some time be called upon to perform. If it were proper to mention any personal considerations as reasons to induce their Lordships to give effect to the object of his Majesty's Message, he might say, that the Duchess of Kent had per-

formed her duties in the most admirable manner, both as a wife and a mother, and had conducted the education of the Princess her daughter upon the most enlightened views and principles, and with the most praiseworthy assiduity. As for the amount of the grant, that was a matter to be settled by the other House; and when the matter should come again before their Lordships, in the shape of a bill brought up from the other House, it would be for their Lordships to say whether it was sufficient. For the present, he would conclude by moving, "That an humble Address be presented to his Majesty, thanking his Majesty for his most gracious Message, and assuring his Majesty, that this House, gladly embracing every opportunity of showing their respect and regard for his Majesty's person and family, would cheerfully concur in any measure for giving effect to the object of his Majesty's most gracious Message."

The Earl of Rosslyn and the Duke of Cumberland whispered something across the Table to Earl Grey.

Earl Grey was now informed, that there was an inaccuracy in his Majesty's Message. As to that, he had only to say, in excuse for himself, that he had desired the Message to be prepared by the proper person in the usual way; that the Message had been put in his hand in the usual way, and had been signed by his Majesty. He had, therefore, concluded that all was correct, according to the usual form; and whether it was, in fact, correct or not, he could not, of his own knowledge, pretend to say. But he was informed, that the Message was inaccurate, inasmuch as it did not designate the Princess Victoria as her "royal" highness. He supposed, however, that no one would say, that there was any thing intentionally derogatory to her royal highness, in withholding this title of respect.

The Address agreed to, and ordered, *nemine dissente*, to be presented to his Majesty.

AFFIDAVITS IN CHANCERY SUITS.] The Lord Chancellor said, that he held in his hand a Bill which, with their Lordships' permission, he would lay on their Table, the object of which Bill was, to prevent delays in conducting the business of the Court of Chancery. Their Lordships were aware, that very early after his Majesty had done him the honour to intrust

him with the Great Seal, he had intimated his intention of bringing up the arrear of appeals in the Court of Chancery with all possible despatch; and this object had been, in a great degree, accomplished, and his labours were drawing to a close. A few cases, however, still remained to be disposed of; and the last Seal after the Term having taken place last Wednesday, after which, according to the practice of his predecessors, affidavits could not be read, and therefore appeals could not be heard, he could not finish these few cases. He believed it would not be illegal for him to adopt a contrary course, but it would be very unusual. He wished, therefore, to be empowered to have affidavits read, and appeals heard, after the last Seal, either in or after Term. The practice which he wished to alter was merely matter of form; but as there were some doubts whether he ought to alter it on his own authority, he had prepared this Bill, to give him the power which he required for the benefit of the suitors. It was highly expedient, that he should have this authority, for it often happened, that the losing parties, or those who were likely to lose, used every expedient in their power to delay the proceedings, and to prevent a final decision, as long as possible; and, for this purpose, advantage was taken of every informality, an instance of which had occurred within this last hour. Parties of that description had other parties to back them—solicitors and others, who had some interest or object in delaying the final judgment; and time was thus consumed in useless discussions upon mere matters of form. He wished to have the authority of the law to assist him in his endeavours to accelerate the progress of Chancery suits: and he hoped, therefore, that those who thought delay bad, and despatch good; who thought justice ought to be cheap and speedy as well as sure, would support this Bill. Here he begged leave to say a few words in answer to those who said, that he had not of late paid the usual degree of attention to the hearing of appeals in their Lordships' House, the arrears of which he had promised to bring up. In the first place he answered, that he had already reduced the arrear of appeals in their Lordships' House to a mere trifle, and all the cases had been disposed of, that had any existence in their Lordships' House previous to the present Session; and in the second place he answered, that it appeared to him, that the most

convenient plan would be, to dispose of the arrear in the Court of Chancery, in order that the different parties and solicitors interested in them might return to their respective homes; and after he had so disposed of them, he would give his whole attention to the Appeal-paper; and he trusted, that there would be no cause to complain of any unnecessary delay.

The Bill read a first time.

[DONNA MARIA OF PORTUGAL.] The Marquis of *Londonderry*, seeing the noble Earl at the head of his Majesty's Government in his place, observed, that he wished to ask the noble Earl a question which might be material, in relation to the debate which was expected to take place on Friday, on the motion of the noble Earl (Aberdeen) on that side of the House. He wished to know, whether orders or directions had been given to the civil and military authorities at Portsmouth, to receive Donna Maria as Queen of Portugal? Since Donna Maria had been here before, circumstances had altered, and different arrangements might be called for. If Donna Maria were to be recognized as Queen of Portugal, it was obvious, that this country would bestill further alienated from the present ruling authorities in Portugal, and that the resumption of our usual confidential and friendly relations with that Power, would be very problematical, or at least postponed to a distant period.

Earl *Grey*, not having had any notice as to what the nature of the motion was, which the noble Earl proposed to bring forward on Friday, could not be prepared to say whether the reception of her—he did not know how to designate her, lest he should be censured for using some improper expression—but he did not know whether the reception of Donna Maria would have any bearing on the noble Earl's motion or not. But he could undertake to say, that the only answer which he could give to the noble Marquis's question could have no bearing on the noble Earl's motion, or on any thing else; for he did not know what orders or directions had been given as to the reception of Donna Maria, nor did he know that any orders at all had been given on the subject.

HOUSE OF COMMONS,
Wednesday, August 3, 1831.

MINUTES.] DENIS O'CONNOR, Esq. took the Oaths and his Seat for Roscommon.

Returns ordered. On the Motion of Mr. O'CONNELL, of the Exports and Imports from and into Cork, distinguishing all articles above the value of 500*l.*, for the last six years; and for the tonnage of Ships and Vessels, trading to and from the same place, for the last fifteen years; and for an account of all applications for leave to file Criminal Informations in the Court of King's Bench (Ireland), against Justices of the Peace, from 1st January, 1820, to 31st December, 1830.—On the Motion of Mr. RUTHVEN, of the Catholic Freemen of the Corporation of Galway, who have been admitted since 1st April, 1831, distinguishing those employed in trade:—On the Motion of Mr. BURGE, of the quantity of Foreign Sugar imported under Act 9 George 4th, Cap. 93, and 1 William 4th, Cap. 72, up to 5th July, 1831, distinguishing the quantities entered, each quarter, and the ports received at; and of the quantity of Sugar and Treacle exported from Liverpool, Bristol, and Glasgow in each quarter, from 5th July, 1828, to 5th July, 1831.

Petitions presented. By Mr. O'CONNELL, from Roman Catholic Inhabitants of Dunsharighlin, Cultrummer, West Muskerry, Kiltobride, Clonenagh, and Listowell. By Sir CHARLES COOTE, from Inhabitants of Carragh, and Presperea, against any further Grants to the Kildare Street Society; from Land-holders of Clare, for a revision of the Grand Jury Laws; from the Letter-press Printers, and Dyers, of Dublin, for the Repeal of the Union. By Sir CHARLES COOTE, from the Freeholders of Queen's County, for Reform, against Tithes, and for Repeal of the Union. By Mr. RUTHVEN, from the Catholic Magistrates of Galway, to place Catholics on an equality with Protestants. By Sir GEORGE CLERK, from the Freeholders, Justices of the Peace, and Commissioners of Supply of the County of Edinburgh; from the Farmers near Edinburgh, and from the Farmers of Dalkeith. By Mr. CUTLAR FERGUSON, from the Corporation of Bruntisland, against the use of Molasses in Distilleries and Breweries. By Sir GEORGE CLERK, from the County of Peebles, complaining of losing their Members by the Reform Bill for Scotland. By Mr. WILKS, from George Lester, Esq., against the Game Laws. By Lord MORPETH, two Petitions, one from the persons engaged in the Woollen Trade at Huddersfield, against, and the other from persons employed in Factories at Keighley, in favour of the Cotton Factories Apprentices Bill.

PUNISHMENT FOR BLASPHEMY—
CASE OF MR. CARLILE.] Mr. *John Wood* presented a Petition from Richard Carlisle, praying the House would institute an inquiry into the circumstances under which the verdict for which he now suffered fine and imprisonment was obtained, and that the House would present an Address to the Crown, praying his Majesty would grant him a pardon, and exonerate him from the fine and imprisonment; and, thirdly, praying the House would make some alteration in the existing Jury laws, so as to prevent Juries from being starved and exhausted into a verdict. The hon. and learned Member stated, that on receiving the petition, he had felt it to be his duty to send it to the Recorder, in order that that functionary might be aware of the charges which the petition contained against him, and he had received a reply from that learned person, that the petition being addressed to the House, and not to him, he would not read it. He had also given the Attorney General

notice of his intention to present it, in order that the hon. and learned Member might refute any of the charges in case he saw fit; but, as the hon. and learned Member was not present, he now thought it his duty to defer the presentation no longer. The petition stated, that the trial on which the petitioner was convicted lasted from nine o'clock in the morning till two o'clock in the next morning, during the whole of which time the petitioner was kept at the bar of the Court, without being suffered to take any equivalent refreshment to sustain his spirits during his harassing and tedious trial; that the Recorder and Counsel left the Court in order that they might dine, and, on returning, proceeded again with the trial. That, in consequence of the severe exhaustion of his animal spirits, from fasting so long, the petitioner's defence was much injured, and many circumstances in his favour were omitted, in consequence, to be urged to the Jury. That after he had finished his defence, the Recorder addressed the Jury in accusation of the petitioner; and that after he had concluded, the Jury retired at nine, and returned at eleven, stating, that they had not agreed on their verdict. The Recorder asked if he could assist them, and sent them back. They were recalled in an hour, and stated that they could not agree as to the publication being a libel; they were again sent back, and at the interval of an hour were recalled, and addressed in uncourteous language by the Recorder, who threatened, if they did not shortly agree, to leave the Court, go home, and not receive their verdict till the next day, thus locking them up, fasting, all the remainder of the night. That at half-past one, they returned with no signs of having agreed on the verdict; and after some further observations from the Recorder, they asked for five minutes more, and then found their verdict—Guilty. The Recorder then proceeded to pass sentence, and said, as a reason for the aggravated punishment inflicted on the petitioner, that the verdict was the result of great deliberation on the part of the Jury, and required the exercise of additional severity on his part. He did not make himself answerable for any one of the statements of the petition; he meant to make no comments on those statements; but if the conduct attributed to the Recorder had really taken place, he must say, the case would require some further investi-

gation by that House, and some further proceedings would be necessary against that Judge. In passing sentence, he had inflicted a severe punishment on Mr. Carile, because the verdict was the result of much deliberation; when it was evident, if the statements of the petition were true, that the Jury were starved and bullied into their verdict. He had done his duty in presenting the petition, and he thought it behoved that House and the City of London to institute an inquiry into the circumstances. He moved, that the petition should be brought up.

Mr. *Hunt* very much regretted that none of the Aldermen of the City of London were present at a time when a petition was presented which deeply affected the character of a Judge appointed by the Corporation. He could not, at the same time, but reprobate the practice by which judicial guzzling was kept up at the Old Bailey, and which materially interfered with the ends of justice.

The petition to lie on the Table.

FOOT-PATHS.] Mr. *John Wood* rose to present a Petition from Manchester against the present state of the law for stopping up Foot-Paths. Parties were frequently put to very considerable expense in prosecuting appeals when the order of the Magistrates was abandoned, and the appellants left to pay the costs, they therefore prayed, that appeals might lie from Justices to Juries, and not, as at present, from Justices in Petty Sessions to Justices at Quarter Sessions.

Mr. *Strickland* said, that under the common-law, a foot-path could only be stopped up by an action for trespass, which could be tried by a Judge and Jury. The Statute gave an arbitrary power to two Magistrates to stop any foot-way by passing an order for that purpose, which could be quashed only by appeal to the Quarter Sessions, and this, which caused a great expense to parties, was tedious and vexatious. Few individuals would trouble themselves to prosecute such appeals, probably to be heard before the very Magistrates who granted the order.

Mr. *Wilks* thought the matter of great importance to the health of the people, because foot-ways had been generally stopped-up of late years. Many rich individuals, from the prevailing fashion of desiring to be private, would sacrifice con-

siderable sums of money to attain that object. This power of Magistrates should be placed under restraint. There could be no difficulty whatever in Juries deciding such questions.

Mr. *Fyshe Palmer* observed, that the desire to encroach was so general, that it was a common thing to hear one Magistrate saying to another, "Come and dine with me, and I shall expect you an hour earlier, as I want to stop up a foot-way." The public convenience was out of the question. In Berkshire these practices had to his knowledge been carried to a great extent. Several roads had been stopped which were of great public utility, and it was proposed to remedy the evil by the Highways Bill, which would only add to them, for it would do away with the technical and other difficulties, which were at present some restraint, and if it passed, there would be nothing to prevent Magistrates closing up every foot-way in the kingdom.

The Petition laid on the Table.

[DISTILLATION FROM MOLASSES.] Sir *George Clerk* presented a Petition from the Distillers of Scotland, complaining of the abuses arising out of the allowance of a drawback of a shilling on every gallon of whiskey distilled from malt, and exported from Scotland, and praying that the Resolution on that subject be repealed, as it caused a great loss to the revenue, without being of any advantage to the distillers.

Mr. *Leader* complained of the frauds practised on the revenue by this drawback: the Irish distillers, by its operation, were undersold in their own market. He freely concurred in the prayer of the petition.

Mr. *O'Connell* observed, that the manner in which the system operated, might be judged of from the fact, that duty was paid on 16,000,000 gallons, while the drawback was obtained on 17,000,000 gallons, though there was a considerable quantity consumed at home. The system gave one class of men more advantages than another engaged in the same trade, and, therefore, ought to be abolished.

Petition to lie on the Table.

[THE BEER TRADE.] Lord *Morpeth* presented a Petition from a number of Clergymen of the West Riding of the County of York, complaining of the bad effects of the opening of so many houses

under the new Beer Act. They were the scenes of all kinds of immorality and gambling, were frequented by the worst characters, and in many cases had become nuisances to the neighbourhood in which they had been established. The petitioners were of opinion, that they had produced the worst effects on the morals of the lower classes.

Mr. *Hunt* defended the Bill, and asked the noble Lord if he and the petitioners were anxious to drive the people to the pernicious practice of dram-drinking, which was infinitely worse than beer drinking: gin shops had already small glasses for boys and girls. If the consumption of beer was discouraged, the use of ardent spirits would be encouraged, and cheap beer was certainly better than cheap gin.

Mr. *Strickland* professed his determination to oppose any sudden alteration of the law with respect to beer-shops, and observed, that at the Quarter Sessions, where the Letter from the Secretary of State was taken into consideration, the Magistrates, after hearing all that could be said against the beer-shops, decided, merely by a majority of one, to report against them.

Lord *Morpeth* had no wish to put the retail beer trade down, but was of opinion that the houses might be better regulated.

Petition to be printed.

[CASE OF MURDER IN IRELAND.] Mr. *James E. Gordon* said, he wished to put a question to the right hon. Secretary for Ireland, and, in order that the question might be perfectly intelligible, he would briefly state the facts of the case out of which it arose. A party, consisting of several persons, went to the house of a parish Priest in Ireland, for the purpose of having some ceremony performed. When they arrived there, they found the Priest was absent, and that his curate was employed in baptising a child. They pressed their desire to see the Curate, and he came out in a violent rage, seized a large club, and not content with driving the party from the house, chased them along the street. The Curate, on his return to the house, met with a person, who fell upon his knees and implored pardon. This, however, had no effect, for the Curate raised the club, and, while the man was on his knees, struck him on the head. From the effects of the blow, the man died with-

in twenty-four hours. A Coroner's Inquest was held, and of fifteen persons who had witnessed the transaction, not one would give testimony against the Priest. He must also observe, that the individual who had given the Priest notice of the death of the man, was the brother of the murdered party. After much supineness on the part of the Coroner or Magistrates, and not till public clamour rendered some step necessary, a warrant was issued for the apprehension of the Priest. That person, however, in the meantime between the murder, and the issuing of the warrant, had left the place in disguise, and fled, it was believed, to France. He wished to know from the right hon. Secretary for Ireland, whether or not the facts of the case were before the Government, and if they were, whether or not any steps had been taken, with a view to the apprehension of the person who had committed the murder? He did not draw attention to this case because a Catholic Priest was implicated in it, but simply because an act of dreadful atrocity had been perpetrated, and it ought to be inquired into.

Mr. *Stanley* said, the case had certainly been laid before the Government, and the hon. Member had not much misstated it, as it had come under his (Mr. *Stanley's*) knowledge. A Roman Catholic Priest was performing the rights of baptism; some persons assembled outside of the house, irritated the Priest, and the Priest did, with a large stick, kill one of them. This occurred on the 18th of last month. On the 19th the person struck with the stick died, and on the 20th a Coroner's Inquest was held. The charge of supineness, therefore, was not well founded. It was true, that several persons who were present when the fatal assault was committed, refused to give evidence, and it was only upon the evidence of two surgeons who attended the murdered man, that the Jury were able to arrive at the fact, that the death of the party had been caused by a blow. The Jury, therefore, which consisted of seven Protestants and five Roman Catholics, returned as their verdict, that the man came by his death from a blow inflicted by some person who could not be identified. It was true the Priest had absconded; but it was rather too much to ask the Government to say where the Priest had gone. The Government had, in fact, no ground to justify the apprehension of the Priest; or, if apprehended,

to commit that person. The Government had, however, been extremely anxious to have the matter investigated, and it had adopted all means within its power to effect that object.

Mr. *James E. Gordon* intended to bring no charge against the Government.

Mr. *O'Connell* said, there was one part of the hon. Gentleman's statement which had not been proved, viz. that the Priest struck a person not engaged in the fray. This was material; but life had been lost, and the utmost activity ought to be used to bring the criminals to justice. He wished to ask, if the parties who were said to have refused to give evidence had been committed?

Mr. *Stanley* read a letter to the Irish Government, stating the origin of the business, and mentioning, among other circumstances, that the brother and sister of the deceased said he was struck while on his knees, asking pardon of the Priest for what he had done, and that there was great difficulty in procuring any testimony from those who were present. It further appeared, that the persons refusing to be sworn had been committed by the Coroner.

Here the conversation dropped.

THE KING'S MESSAGE—PROVISION FOR THE PRINCESS VICTORIA.] On the Motion of Lord Althorp, the House resolved itself into a Committee, to take into consideration the Message from his Majesty, respecting a further grant of money to the Duchess of Kent and Princess Victoria.

The Chairman having read the Message—[for which see *ante* p. 591.]

Lord *Althorp* said, that he apprehended no difference of opinion would exist with respect to the proposition which he was about to submit to the House. He believed that it was the wish of every Gentleman present, that the provision made for the Heir Presumptive to the Throne, should be such as was suitable to her situation and rank. From circumstances, to which it was not necessary for him to allude, the maintenance and support of her Royal Highness the Princess Victoria, had, up to the present moment, been scarcely any charge at all to the public. A change, however, had taken place in those circumstances, and it had now become, he conceived, the bounden duty of that House, to make such a suitable allowance to the Princess, as might support her

in her present state of dignity and honour, and provide for those necessary expenses which were attendant on her education. In considering the amount of the provision which it was desirable to make, the attention of the Government was naturally directed to what took place in the case of the Princess Charlotte of Wales. The Committee were aware that the Princess Charlotte was in the same station as the Princess Victoria, namely, that of the Heir Presumptive to the Throne. He found, that upon the birth of the Princess Charlotte, the Princess of Wales received 6,000*l.* a-year for her maintenance; and in 1806, that sum was raised to 7,000*l.*, to be paid out of the Consolidated Fund. In addition to this, the Princess Charlotte was paid a sum of 34,000*l.* out of the Droits of the Admiralty, and received 9,777*l.* from the Civil List. Upon the whole, the income received by the Princess Charlotte, from the 10th year of her age, amounted to 17,000*l.* a-year. In 1825 the sum of 6,000*l.* was granted for the support of the Princess Victoria; and that was all that had been voted by the public for her maintenance. It now became his duty to make a proposition for the future support and maintenance of the Princess Victoria, and it was his intention, in making this proposition, to follow the precedent of 1825, and to vote the money to her Royal Highness the Duchess of Kent, to be by her applied to the support and education of her daughter. The amount of income at present received by the Duchess of Kent was 6,000*l.* a-year—an allowance settled upon her at the time of her marriage; and a further sum of 6,000*l.* which she received on account of the Princess Victoria. He proposed, that 10,000*l.* a-year be added to this income, which would make the whole allowance received by the Duchess of Kent 22,000*l.*; namely, 6,000*l.* for the Duchess herself, and the remaining 16,000*l.* for the maintenance of the Princess Victoria. He did not think, that this was a proposition to which the country would at all object. The people of this country were aware of the importance of providing a due and proper education for a person situated as the Princess Victoria was, and of the advantage of maintaining her in that rank and station of life to which she belonged. He, therefore, thought, that the House would be of opinion, that the proposition he now made did not go further than the occasion required.

He would not detain the House any longer, but at once conclude by proposing the following Resolution:—"That it is the opinion of this Committee, that his Majesty should be enabled to grant a yearly sum, not exceeding 10,000*l.*, out of the Consolidated Funds of the United Kingdom of Great Britain and Ireland, for a more adequate provision for her Royal Highness the Duchess of Kent, and the honourable support and education of her Royal Highness the Princess Alexandrina Victoria of Kent; and the said yearly sum to be paid from the 5th of January, 1831."

Mr. *Hunt* expressed the surprise with which he had heard the noble Lord say, that he was persuaded no one would object to the proposition which he had submitted to the House. He, for one, objected to it as a piece of most extravagant expenditure. The noble Lord had told them, that the Princess Charlotte of Wales had received a similar sum, or perhaps 1,000*l.* a-year more. But the noble Lord ought to have told them, that the value of money was not the same now as it was at the former period. He was persuaded, so great was the difference in the value of money at the two periods, that 12,000*l.* at the present day would buy more than 17,000*l.* at the period when the grant was made to the Princess Charlotte of Wales. He was at a loss to conceive how it happened that his Majesty's present Government, who entered office pledged to the observance of an economical system, could make such a proposition as the present. He knew, that if he were to allude to other countries—if he were to allude to the expenses of the President of the United States, he should be met by the laughs and jeers of the House, and should be told that America was not to be compared to this country—a fact which he very readily admitted. If the present Parliament were really the Representatives of the people—if the Members of it were not many of them nomination Members, no such proposition could be made by a Minister, accompanied by the declaration, that he did not conceive it possible, that it would be opposed. If he had been present when it was proposed to grant her Majesty a dowry of 100,000*l.* he certainly should have objected to it; but the proposition was brought forward at the very unreasonable hour of two o'clock in the morning. Feeling, that he should not do his duty to his constituents if he did not

oppose every kind of extravagance, he moved, as an amendment to the Resolution, to substitute 5,000*l.* for 10,000*l.*

Sir *Francis Burdett* agreed with the noble Lord (Lord Althorp) in thinking that no person would consider this grant immoderate. On the contrary, he believed, that if less had been proposed, her Royal Highness the Duchess of Kent would not have been able to maintain herself in that rank and station to which she belonged: 22,000*l.* was, after all, but a very small sum for a person of her elevated rank; and though the hon. member for Preston had stated the grant to be extravagant, he had not stated any reasons for so calling it. How could her Royal Highness, with a less allowance, maintain that station and those habits, which he might call the decent splendor attached to her rank? The hon. member for Preston had talked of the difference in the value of the currency at the time of the Princess Charlotte and of the Princess Victoria, but the hon. Member ought to recollect, that the difference in the grant was also great. He believed, that the people of England, instead of thinking this grant immoderate, would concur with that House in considering it nothing more than was required to maintain in a proper condition the situation of her Royal Highness. From what had transpired, it appeared, that the Duchess of Kent had not hitherto possessed the means to carry on in a suitable manner the education of the Princess Victoria, without the assistance of Prince Leopold. He hardly knew whether it was becoming in a country like England, to have suffered that Prince to defray the charges of the Princess Victoria's education. There could, however, be no doubt that the conduct of Prince Leopold was extremely honourable; and no less creditable was the anxiety shewn by her Royal Highness the Duchess of Kent, not to be forward in pressing her claims on the attention of the country. He differed entirely from the hon. member for Preston, and he had no doubt, that this grant would prove perfectly in accordance with the feelings of the people. He was quite satisfied, that the state of the country was not such as to require that sort of economy—that penny-wise conduct—recommended by the hon. member for Preston; and the opinion expressed by the hon. Member, would prove very unpalatable to the country.

Sir *R. Peel* quite concurred with the

hon. Baronet, that it was better suited to the dignity of this country to make a just and independent provision for the maintenance and education of the Heir Presumptive to the Throne, considering her age, than to leave her dependant on the voluntary, though very honourable bounty, of a near relation, now the sovereign of another country. He could not conceive it possible for any person possessing a proper feeling for the honour of his country, to desire to restrict the public bounty, in order to make the Heir Presumptive dependent for maintenance and education on her relations. The grant proposed appeared to be liberal, and it ought to be so. It was not, however, more liberal than just, and he should give his cordial support to it, in preference to the amendment of the hon. member for Preston. Gentlemen were all aware of the claims made upon the liberality of persons in exalted situations. The hospitality which they exercised was nothing more than that decent hospitality which was frequently displayed by persons of less dignity; and it did not fail to serve as a great stimulus to the trade and manufactures of the country. These exalted personages were also large subscribers to many useful charitable institutions; and he was bound to say, that much more of this grant contrary to what people generally imagined, would be expended in promoting public objects, than in maintaining the splendor of the individual to whom it was granted. It was quite consistent in those Gentlemen who were advocates of popular principles, to be likewise the advocates for a suitable provision being made to those who governed the country; so that they might have the means of introducing themselves to the best society, and of accustoming themselves to that intercourse with their subjects, which was much more necessary on the part of the Monarch of this country, than on the part of a despotic sovereign. As he could not see how this desirable object could be obtained at a less expense, he should vote for the proposition of the noble Lord.

Colonel *Davies* concurred in the sentiments delivered by the two preceding speakers, and expressed his dissent from the view taken by the hon. member for Preston. He thought, that her Royal Highness the Duchess of Kent conducted herself in such a manner that she was deserving of that love and attachment on

the part of the people of England which she had obtained; and, considering the numerous public charities which she contributed to support, he was far from thinking that the grant proposed was too much. He recommended the hon. Member to withdraw his amendment, in order that the vote might be carried unanimously.

Mr. *Hughes Hughes* hoped the hon. member for Preston would withdraw his amendment.

Sir *M. W. Ridley* declared his cordial concurrence in the Motion, and begged to take that opportunity of suggesting to his noble friend, what he thought would be very congenial to the feelings of the people of this country. He hoped he should not be considered intruding, if he begged to suggest, that it might be possible in the course of this proceeding to give a name and title to her Royal Highness, more accordant to the feelings of the people. There would be no difficulty in handing down the name of Elizabeth, instead of Victoria, as the Queen of this country [*laughter*]. He assured the noble Lord who laughed, that he had heard the subject frequently and seriously argued.

Mr. *O'Connell* expressed himself in favour of the proposition of the noble Lord, and believed there was not a second individual in the country who did not feel that the situation of the Duchess of Kent entitled her to this provision. The conduct of her Royal Highness was an example to the country.

Mr. *Ruthven* said, that Ireland, although poor, was anxious to contribute her small mite to the proper splendor and dignity of the Crown, at the same time that the people did not wish to see any profuse or extravagant luxury. The people of his country would, he was sure, cordially assent to the proposed grant.

Sir *Robert Inglis* concurred most cordially in the Motion, and was disposed to consider very favourably the suggestion of the hon. member for Newcastle. The name the Princess now bore had no historical associations to recommend it to the people, and, dear though she was, other names might be given her which would render her still dearer to the nation. There were precedents for the change of names in the Royal Houses both of Scotland and France.

Lord *Althorp* begged to correct a mistake of the hon. member for Preston. So far from the question of the Queen's

Dower having been brought on at a late hour at night, it was brought on at the same hour as this question. In fact, a Message from the Throne always received precedence before the ordinary business of the House. After the unanimity which had been manifested, he had only to express his satisfaction and gratification at the manner in which the House had declared its approbation of the proposition. With respect to the suggestion of his hon. friend, he must say, that he did not think it a matter of great consequence what name the Sovereign of the country bore. He could only hope that the name of Victoria would be as glorious as any other in the history of this country.

Mr. Alderman *Waithman* most cheerfully agreed with the proposal of the noble Lord.

Mr. *Hunt* said, he had no objection to the re-christening of the Princess; but as to the grant, he had heard nothing to induce him to withdraw his amendment. The hon. Baronet, the member for Westminster, called this provision merely decent. A right hon. Baronet on the Opposition side of the House went further, and said, it was liberal. The fact was, he believed, if his Majesty's Ministers had proposed double the amount, it would not have been opposed at that side. It was said by the right hon. Baronet, that no man of proper feeling would oppose this grant. He hoped that he had as good feeling as the right hon. Baronet. When they talked of decency and good feeling, he wished he could take hon. Gentlemen down to the North of England, where the people were not, perhaps, so well off as the people of Ireland, who were giving their potatoes to pay this grant. He would take them to where the poor weavers of Lancashire were working without necessary clothing. Would that be called decent? He thought the sum which he proposed would be quite adequate to the maintenance of the Princess, considering the alteration in the value of money, and he could not withdraw his amendment.

Mr. *Watson Taylor* said, her Royal Highness acted as the members of the Royal Family of this country had always done—she was the patroness of all charities, and large portions of her funds went to the relief of the poor, the aged, and the infirm. The benevolent institutions of the country derived great benefit from the private bounty of her Royal Highness, and

he thought the course taken by the hon. member for Preston a very invidious one, appealing, as he did, to the worst and most mercenary feelings of the people. He was sure, that the grant would be well applied.

Lord *Eastnor* could not believe, that even the hon. member for Preston, if he knew how the funds of her Royal Highness were dispensed, would object to this proposition.

Mr. *Protheroe* said, that although he was bound by his pledges to his constituents to support every measure of economy, he could not forbear expressing the pleasure with which he supported this proposition. He was convinced, that the public would be satisfied with it.

The Committee divided on the Amendment, and the numbers were—Ayes 0; Noes 223—Majority 223.

Original Resolution agreed to.

USAGES OF THE HOUSE.] Mr. *C. W. Wynn* complained, that the door of the House had been violently closed against him, as he was entering, by the Deputy Serjeant-at-Arms. He understood, that every Member had a right to enter the House previous to a division, until the question was put from the Chair; whereas, he had been excluded before the question was actually put. He should not have noticed this affair if he had not been treated with violence.

Lord *Althorp* suggested to the hon. Member the propriety of postponing his complaint until the Speaker was in the Chair.

Mr. *C. W. Wynn* said, that the Serjeant-at-Arms was the officer of the Committee of the whole House, and might now receive directions not to repeat the conduct of which he complained.

An *Hon. Member* said, that the question had been put before the Deputy-Serjeant closed the door, and was put again, in consequence of the confusion which prevailed in the House.

Mr. *Bernal* (the Chairman) understood, that when once the question was put from the Chair, it was the duty of the Serjeant immediately to close the door; and if his eyes did not deceive him, the Deputy-Serjeant proceeded to do so in the just execution of his duty. If there was any want of courtesy shown by that officer, a complaint might properly be made, when the House resumed, to the Speaker.

Mr. *C. W. Wynn* did not know that it was part of the duty of the Deputy Serjeant-at-Arms to shut the door when a Member was partly in and partly out of the House.

Mr. *C. Calvert* said, that the Deputy-Serjeant had been repeatedly called on by the House to shut the door previous to doing so.

Admiral *Adam* was near the door, and thought it his duty to say the question had been put, and the door could not be closed from the Members about it.

The House resumed.

BELGIC NEGOTIATIONS.] On Lord *Althorp's* moving, that the House resolve itself into a Committee of the whole House on the Reform of Parliament (England) Bill,

Lord *Eliot* said, he rose to put a question to the noble Secretary of State for Foreign Affairs, which he would have asked in the Committee of Supply on Monday, had the House met on that day. It related to the affairs of Holland. He had had personal opportunities of observing the respect and esteem with which the English were formerly treated in Holland and Belgium. He was also acquainted with the manner in which the king of the Netherlands had endeared himself to the inhabitants of the northern provinces, though the obstinate prejudices of the Belgians prevented them from duly appreciating his worth. He had had ample opportunity of witnessing his mild and paternal government during the time he reigned over the united kingdom of Holland and the Netherlands. He had with pleasure observed the rapid progress which that country had made in internal prosperity. The Belgic States formed part of the kingdom which, he might say, was called into existence by the Congress of Vienna, and its integrity was recognized by the great Powers of Europe. For the acquisition of territory thus obtained, the king of Holland made great sacrifices. Some time since, the Belgians had thrown off their allegiance to the king of Holland. The great Powers would not resort to force, to compel the Belgians to return to their allegiance, but they interposed between the parties by mediation. Throughout the negotiations, the king of Holland had acted in the most conciliatory manner, though he would have been justified in considering the revolt of Belgium as an

insurrectionary movement, and in having recourse to arms to quell it. It now appeared, that Great Britain was a party to an arrangement by which the two kingdoms were to be separated. The effect which this proceeding had produced in Holland was very great. It had caused Sir Charles Bagot to be completely excluded from society. There was but one cry throughout Holland, not against the hostility, but the duplicity of England. As to the fortresses in the Netherlands which it had been agreed by the Allied Powers to raze, the inhabitants of the country considered them as much their own as the ground on which they were built. The question he had to ask he would put in nearly the noble Lord's own words, and it was—"Is there any objection to giving the other acts and documents the same publicity as the Protocol?"

Viscount *Palmerston* said, it would be extremely inconvenient to enter into any discussion on Foreign Affairs at that hour, and impede the progress of the Reform Bill. He therefore would content himself with stating, in answer to the noble Lord, that he did see great and material objections to giving to the other documents the same publicity as to the Protocol in question. He could not possibly at present consent to lay before the House any other documents excepting those which had been made public.

Lord *Eliot* asked, why it was, that publicity should not be given to those documents as well as to the Protocol?

Viscount *Palmerston* replied, that the Protocol had been published in consequence of the allusion which had been made to it in the Speech of the king of the French, and which rendered it necessary that the matter should be fairly explained. By the publication of the other papers, the object which they had in view might be entirely marred.

Mr. *O'Connell* protested against the eulogy pronounced by the noble Lord upon the king of Holland, and thought the Belgians were justified in revolting against a grinding despotism.

PARLIAMENTARY REFORM — BILL FOR ENGLAND — COMMITTEE — FIFTEENTH DAY.] The House resolved itself into a Committee upon the Reform Bill.

The first question was, "that Greenwich, including the parishes of Greenwich, St. Nicholas and St. Paul, Dept-

ford, and Woolwich, Kent, form part of schedule C."

Sir *Robert Peel* said, before they proceeded further, he wished to ascertain the construction which was to be put upon the twenty-fifth clause of the Bill, which had a material bearing upon the present question. By that clause, it was provided, "that so far as it relates to any city or borough (except those enumerated in the said schedule A), which now has the privilege of sending a Member or Members to Parliament, but does not contain of houses, warehouses, and counting-houses, more than 300 in the whole, such houses being assessed to the duty on inhabited houses, upon a yearly value of not less than 10*l.*, or such houses, warehouses, or counting-houses, whether separately, or jointly with any land occupied therewith, being of the clear yearly value of not less than 10*l.*, or being rated to the relief of the poor upon a yearly value of 10*l.*, the said last-mentioned Commissioners, or the major part of them, shall, within months after the passing of this Act, proceed to incorporate with any such city or borough, for the purposes of this Act, any one or more parishes or townships, the whole or a part of which may be situated within, or adjoining to, such city or borough." What he wished to know was, whether, supposing a city or borough had more than 300 houses rated at 10*l.* a year, the Commissioners were empowered to annex adjoining parishes to places so circumstanced?

Lord *John Russell* said, the intention of the planners of the Bill was, that the twenty-fifth clause should be taken in conjunction with the twenty-fourth, by which the Commissioners would be authorised to declare the boundaries of cities and boroughs, and to incorporate adjacent townships, even though such places with which they were to form a part, should contain more than 300 10*l.* houses.

Sir *Robert Peel* understood by this, that the Commissioners had power in all cases to annex the adjoining parishes to a city or borough, at their discretion.

Lord *J. Russell* said, it was so intended.

Sir *R. Peel* said, he had not asked the question to provoke a discussion on that clause, but merely for the purpose of clearing away a doubt on the provisions of a subsequent clause, which had a material bearing on that now under their consideration. The question then before the Com-

mittee was, that Greenwich, Deptford, and Woolwich, should acquire the right of sending two Members to Parliament. He thought these places ought not to acquire that right. In considering the matter, he would cautiously abstain from entering into observations respecting the principle of the Bill, reserving to himself the full right of speaking upon it when the report was brought up, and on the third reading. He meant, as he had done throughout, in discussing any of the details of the Bill, to confine himself to the special circumstance under consideration. In this stage of the proceedings, he thought it would be more convenient to assume, that what had heretofore been done, had been done well, and justly, and rightly. Conceding this, therefore, for the present, he begged to state, that he saw no peculiarity which would entitle these places to return Members to Parliament. Assuming that they had dealt fairly and justly by schedules A and B, and that the franchises which were forfeited should be transferred to other more populous and wealthy places, still, he must deny, that the selection of Greenwich and Deptford was justifiable, even according to the principle of the noble Lord's Bill. He would avoid all reference to the discussions which had taken place as regarded schedules A and B; but he felt it his duty at once to object to the granting the metropolitan districts that vast influence in the Representation of the country which this Bill would confer upon them. He would also state, that he was perfectly willing, in order to avoid unnecessary delay, to take Greenwich as a fair specimen of the suburban parishes which were to receive Representatives, and to consider the division he meant to take upon this question as decisive of all the other districts. Certainly, he had been much surprised to find Greenwich, Woolwich, and Deptford included amongst those places which were to be enfranchised. It was said, that Greenwich had heretofore exercised the right of sending Members to Parliament; but the noble Lord could not, surely, rely upon that fact. He admitted, that Greenwich had formerly sent a Member; but to make that circumstance now available, the noble Lord should propose to give Representatives to every other place which had formerly been, and was not at present, represented. But the noble Lord had put prescriptive right out of the question, because there were a

number of places which he did not propose to enfranchise, and which had, in former times, like Greenwich, enjoyed the right of Representation. Even if that were admitted, there was no reason why the claim of Greenwich should be extended to the other places set forth in the proposition. In the next place, he was not aware, that there was any trade carried on in these places which required protection. The only claim they really possessed was founded on population; and this could scarcely be considered a good one, as the population was found to vary with the establishments maintained there by the Government. In the very useful notes attached to the population returns of 1821, it was remarked, that the population had fallen off in Deptford, and increased in Greenwich; and the falling off in Deptford was ascribed to a reduction in the dock-yards; and the increase in Greenwich was attributed partly to the naval arsenal, and partly to the fact of a greater number of pensioners choosing to become residents in that town. From the influence, too, which the Government would exert through these establishments, he contended, that in all cases in which the interests of the metropolitan districts were not directly concerned, Greenwich and its dependencies would be a nomination borough: but he did not object to it on that account, though it certainly seemed strange the noble Lord should have selected it under the circumstances. Great, too, he observed, as was the hostility of the noble Lord to nomination boroughs, the unconstitutional plan of giving to the King the right of nominating Members to that House had been hinted at. It was true, the noble Lord the Chancellor of the Exchequer, had not expressly stated, that this would be hereafter proposed; but there was a mode of doing things which, with all apparent caution, rendered perfectly evident the object which men had in view—*Dum tacent, clamant*. The Cabinet, as a responsible body, had expressed no intention or opinion upon the subject; but the noble Lord who had introduced this Bill had spoken of this project as a matter of grave consideration; and it was to be fairly presumed, he would not have ventured even upon this expression of opinion, without a perfect understanding with the other members of the Administration upon the subject. The truth was, the noble Lord was frightened at the probable con-

sequences of his own measure, and was looking out, with a provident eye, for remedies to meet the evils which it would not fail to create. But to proceed more immediately to the question before the Committee respecting Greenwich, upon which, to prevent unnecessary delay, he was willing to take the discussion upon all the metropolitan districts. He would, in the first place, admit, that it had been a blot upon our Representative system that the great towns, such as Leeds, Manchester, and Birmingham, which had grown up in the country, had not been allowed to have a fair share in the Representation; but this blot, he did not believe, could be fairly alleged to exist with respect to the metropolitan districts. For these, he considered, that Representation had been amply provided. Though some opulent and populous districts about the metropolis did not enjoy the right of returning Members to Parliament, yet, looking upon the metropolitan district as a whole, it could not be supposed to be imperfectly provided. First, there were the four members for the city of London; secondly, there were two for Westminster; and thirdly, there were two for Southwark, making eight in all. To these might be properly added the two Members for the county of Middlesex, because these Members were not returned by a rural population, but chiefly by the inhabitants of the Metropolis. In an extremely valuable return which had been laid upon the Table the Members would find stated, the number of families in the county of Middlesex which were engaged in agriculture, the number concerned in trade and manufactures, and the number of those employed in neither. From that return it appeared, that, in agriculture, there were only 9,393 families engaged, while 161,356 were engaged in trade and manufactures. This showed how large was the proportion of town influence to that of agricultural, since the ratio of those engaged was as 161,000 to 9,300. Indeed, the rural population in Middlesex did not altogether amount to more than 70,000 or 80,000, while the total population of the county was 1,140,000. Thus it appeared, there were ten Members for the metropolitan district, and to them one of the members for the county of Surrey might, in his opinion, be fairly added; because, considering the influence of the borough of Southwark, and observing that the population of Brixton was a town population, and not a rural population, there

could be no doubt that the town population exerted sufficient influence to return one Member. The whole of the rural population of Surrey amounted to 130,000, while the town population of Southwark and Brixton amounted to 268,000. The consequence of all this was, that the metropolitan districts had eleven Members—the four for the city of London, the two for Westminster, the two for Southwark, the two for Middlesex, and the one for Surrey. Never, therefore, was there juster cause for surprise, than that ten more should be added to them, giving the metropolitan districts twenty-one Members. If Ministers were to say, that the principle on which they proceeded was population, or contribution to the taxes, this case of enfranchisement would be intelligible; but in admitting, that all they had heretofore done was done well, he was bound to say, this was not the principle upon which they proceeded. Population merely was not the principle of the Bill. If the Ministers were to say, that the principle upon which they proceeded was population, or contribution to the Assessed-taxes, this case of enfranchisement would be perfectly intelligible, and the metropolitan districts would then have a fair claim; but that was not the principle upon which they had proceeded. It was, indeed, impossible to suppose, that any Ministry would bring a plan forward to deprive England, as a whole, of forty Members, while it gave to the metropolis ten, in addition to the eleven which it already returned. It seemed to him, that the simple statement of this fact should be sufficient to deter the Committee from assenting to the proposition involved in the question under consideration. A moment's reflection ought to convince every man of the undue proportion of Representation which would be given by this clause of the Bill to the metropolis and its suburbs, as compared with the great counties of Yorkshire and Lancashire. It should be considered with what justice these additional Members could be given to the metropolis, after what had been done with the Representation of the southern counties, and with the agricultural districts generally. Nothing could be more absurd, in his opinion, than to say, that as a town increased in population, so the number of its Representatives should also increase. A proposition of that kind would be regarded

as a wanton and unnecessary departure from the principles of the Constitution; yet that was the very proposition which his Majesty's Ministers submitted to the Committee, in recommending the clause for enfranchising the metropolitan districts. Ministers said, that they would disfranchise all nomination boroughs: let them do so; they had some ground to proceed upon; but if they had any regard for justice—any desire to maintain a character of consistency—let them abstain from making such wanton and dangerous innovations on the Constitution of the country, as those which were proposed by this clause. It never was a principle of the Constitution of England, that Representatives should be given to towns or districts, on account of their population only. The principle had been, to distribute the Representation between large and small places, and, without reference to the amount of population, to give two Representatives to every town on which the elective franchise was conferred. Upon this principle—to which there were but five exceptions—the opulent town of Liverpool, and the smallest borough contained in schedule A, were equally represented. The present Bill departed from this principle. His Majesty's Ministers rejected population as the ground upon which the elective franchise was, under this Bill, to be given; they professed to take it only as the test—the absurd test—of whether or no a borough was a nomination borough; and whether it was or was not in a prosperous condition; but in this case they adopted that alone as the ground of enfranchisement. It required but little consideration to convince any man of the absurdity of such a test. As was very justly said the other night—the great complaint of the working classes being the want of employment, you take the numbers of the population as a test of the prosperity of any particular place; whereas, in point of fact, it very often happens that where the population is most numerous, there the poor-rates are most grievous, and trade or manufacture is in the least flourishing condition. In many towns, large numbers of Irish had located themselves; but every one would admit the absurdity of taking a population of 10,000 natives of the sister kingdom as a proof of the prosperous condition of a borough. In other cases, population had not been taken as the test of prosperity;

or why was Liverpool, a town unsurpassed in increasing wealth and intelligence, and which, from its situation, and the enterprising spirit of its merchants, formed the great connecting link between this country and the western quarter of the world, left with two Representatives only? Liverpool had a population of 200,000 inhabitants; did Ministers on that account propose to add to its Representation—to confer upon it the privilege of returning four or six additional Members to Parliament? No. Then what became of their principle of population? If that principle were a good one, and was therefore to be applied to the metropolitan districts, the metropolis having already eleven Representatives, why should it not also be applied to Liverpool? There were many large places in the neighbourhood of that borough which had not hitherto taken any part in the election of Members. By the provisions of this Bill, they were to be incorporated with Liverpool, and thus the constituency of that borough was to be increased; yet there was to be no increase in its Representation. This proved, that the case of the metropolitan districts was an exception to the general rule laid down by the Bill. If the principle to be applied to the metropolitan districts was to be considered as a leading and a guiding one, how could the Committee possibly neglect the claim of Liverpool to additional Representation? The boroughs of Aylesbury, Banbury, Calne, Christchurch, Leominster, Malton, and two others of a similar stamp, containing, together, a population of 32,198, were each to retain the right of returning two Members. Thus, sixteen Members would be returned by a population of less than 33,000; while the town and neighbourhood of Liverpool, containing a population of 200,000, was to return but two. So, again in the case of Birmingham, which contained a population of 170,000 or 180,000 souls; there, so devotedly attached were his Majesty's Ministers to the ancient system of Representation, that although, by the result of their own plan, they had forty franchises to dispose of, they would give no more than two Representatives to the great town of Birmingham, with its 180,000 inhabitants—in short, they would give it no greater weight in the scale of Representation than they had allowed the town of Malton to retain,

which was saved by just eighteen persons from disfranchisement. He did not complain of this adherence to the ancient principle; on the contrary, he approved of it; but, if that were taken as the principle of this Bill, it was incumbent on his Majesty's Ministers to shew some valid ground, some great and overbearing reason, why the metropolitan districts should be made an exception to it. If they meant to proceed according to population, and the amount of taxation paid by different places, they ought to apply the same rule to all. By the Bill, certain Commissioners were to have the power of incorporating and joining particular parishes with particular boroughs; but, when they came to the metropolitan districts, their powers were all at once to become null and void; and Greenwich, and Marylebone, and other districts of the same kind, were to have their own distinct Representatives. He had an unfeigned respect for London and Westminster—perhaps no man more—but he saw no reason why their suburban districts should not rather be incorporated with them, than allowed to have district Representatives. He saw no reason why the districts in the neighbourhood of the metropolis should be made an exception to the rule which was to apply to those in the vicinity of Liverpool, Bristol, and other large towns, which had equally good claims to Representation. He had now stated the reasons for which he would oppose this enfranchisement. The first proposition he wished to urge upon the House was, that in reference to the other parts of the country, the London district was already sufficiently represented. The second was, that the ancient usage of our Representative system had been, to give an equal right to all places of returning two Members, without reference to their population or contribution to the taxes. And the third was, that Ministers had heretofore adhered to this rule—as, for example, in the cases of Calne and Manchester—the one of which they determined should retain, and the other should acquire, two Members. Having, accordingly, adhered in all other cases to the ancient usage, they were bound in the present instance, to show why they departed from it in favour of the metropolitan districts, and what were the peculiarities of these places which had so weighed with them as to induce them to desert their

own principles. The point was, could that case be made out, which, upon a consideration of population, and contribution to the taxes, would entitle these districts to additional Representatives? It could be made out, but it told against themselves. So far from these places requiring additional Representatives, he thought, from their proximity to the seat of Government, that they already had sufficient influence over it. He foresaw very great danger from giving Members to the metropolitan districts; for looking at the particular circumstances of the great body of the constituency in communication—looking at their locality, their vicinity to the House of Commons, at the facility which they would always have of approaching the Government—looking at the ready access which they would have to the reports of proceedings in this House—looking, he said, to these matters, it could not be denied, that the constituents as well as the Members for the metropolitan districts would have immense advantages over every other. Alluding to one of those districts—the parish of Mary-la-bonne—he might observe, that it was about to acquire two rights; because, according to the Bill, if he understood it rightly, all 10*l*. householders who had not a vote for the city of London were to have a vote for the county of Middlesex, which, added to their right of voting for the new borough, would create a double right. Now this Representation, he considered, was little wanting to the parish of Mary-la-bonne. It so happened, that there were at least 100 Members of Parliament resident in that parish, and of these, very many had actually an identity of interest with the parish. In its select vestry there were no less than ten Members of Parliament, and he could appeal to hon. Members present, whether these Members were the least frequent in their attendance. From this he argued, that there was little danger that the interests of this district, which had virtually so many Representatives, could suffer from not being enfranchised. If, however, it was deemed improper that the inhabitants of so rich and extensive a district should be left without their due influence in the general Representation, why did they not proceed upon the same plan as in Lancashire and Yorkshire? Why did they not give additional Representatives to the county of Middlesex? They might think they had done

little in adding ten Representatives to the eleven already enjoyed by the metropolitan districts, but they were much mistaken. They had deranged the balance of interests in this country more than was wise, and in a degree which would render any endeavour to adjust them hereafter a matter of almost hopeless difficulty. This balance was founded on prescription; but it was not the more unjust or the less to be respected on this account, and it produced a regularity and security which, in the practical working of the new scheme of the Constitution, he feared it would not be possible to ensure. Let them not lay the flattering unction to their souls, that the whole effect of this proceeding would be the conferring of twenty-one Representatives upon the metropolitan districts. It would create a new order of men in that House, which would alter in character and increase in power at each successive election. Antæus-like, the more they came in contact with their native earth, the greater would be their force, the higher their hope and vigour. Another point which might be urged was, that by this addition of town Representatives they were giving an undue influence to the more active portion of the House, that were desirous of changes, and that which, particularly in the present instance, was, from the vicinity, and from the aggregated nature of their constituency, more immediately under its control; for the Members for towns, must of necessity be persons of more active habits than those who sat for counties; as well from the circumstances whereby they could alone recommend themselves to the Representation, as from the character of their constituency. This, he thought, was no reflection on the country Gentlemen. On the contrary, their indisposition lightly to alter ancient institutions and established usages formed an admirable ingredient in the constitution of the House; and enabled it, when combined with the laudable desire of changes (let it be called) upon the part of the town Representatives, for the sake of improvement, by the balance of these conflicting opinions, to approximate to, if they did not arrive at truth. But now, by taking away from the one class of Representatives, and adding to the other, they were doing injury to the agricultural interests, without conferring any benefit upon the general interests of the country. Looking, he would say, for example, to the county

of Middlesex, he should be inclined to conclude, that local interests and local attachments would go for nothing, but that men would be chosen, as in the case of one of the hon. Members for the county to which he had alluded, for the marked line of politics they had pursued. He saw the hon. member for Middlesex selected to represent that great county, though he possessed no local connexions there, and selected, indeed, evidently for the line of conduct he had adopted in politics, which was that of watching with the greatest closeness, the expenditure of the country. He did not object to the honourable Member on the fact, that such had been the cause of his selection. The hon. Member had only zealously performed what he conscientiously believed to be a public duty, and he was rewarded for it by the Representation of the metropolitan county. The only reason for which he alluded to the circumstance, was, to show the sort of men that these metropolitan Representatives were likely to be, and to mark, in consequence, the great additional influence which such men, so closely in communication with their constituents, must have in that House. There would be in this manner ten additional Members for London, and the change would be most considerable. Viewing that change in its future effects by those which, so far as circumstances permitted, the prospect of Reform had already produced, he must say, that he did not think it a change that was likely, upon the whole, to work well for the benefit of the country. He viewed it as a departure from the ancient usages of the country, and he could not but anticipate that it would not be for the better. He thought it would aggravate the loss the agricultural interest were about to sustain by the other parts of the Bill, and that it would give an undue influence to the popular voice in that House. On these grounds, he should certainly resist giving the franchise, in the manner now proposed, to Greenwich, Woolwich and Deptford, by placing them in schedule C.

Lord *Althorp* observed, that he must do the right hon. Gentleman the credit of saying, that he had in arguing the question adhered strictly to the point, and had stated his opinions with considerable ability. He felt a difficulty in following the right hon. Gentleman, but, at the same time, he thought it was his duty to

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state the grounds on which he differed from the right hon. Gentleman in his view of this part of the Bill. The right hon. Gentleman seemed to think, that the proportion of Members now about to be given to the metropolitan districts was much too large. On that point they were decidedly at variance with each other; for he (Lord Althorp) felt convinced, that in the line which the Ministers had adopted on this subject, they had not in the least degree exceeded the proportion to which the metropolitan districts were fairly entitled. The first thing which struck them in framing this Bill, and which always had been considered a great grievance, was the circumstance that large tracts of the metropolis (if he might use such an expression) were totally unrepresented in that House. In remedying that deficiency, the question was, how they could best accomplish their object. The right hon. Gentleman seemed to think that these populous districts might have been added to those in their neighbourhood which already sent Members to that House; and he supposed that such a course would be more consistent with the general nature of the measure, and with the principle on which the Constitution had hitherto acted. The right hon. Gentleman was, however, quite mistaken in that opinion; for the principle of the Constitution which bore on this point, was stated by the right hon. Gentleman himself, and that was, that Representatives were given, not to the populousness of the towns, nor to their size, but to a town as a separate and distinct place. That was stated by the right hon. Gentleman to be the rule; and if it were so, the plan proposed by the right hon. Gentleman would be an exception. The course pursued by the framers of the Bill was not, therefore, a departure from the principle of the Constitution, but an adherence to it. But, putting that consideration out of the question, he would ask whether the House would be prepared to add new Representatives to those places which already possessed Members. He thought they would certainly answer in the negative, for if they were so to add them, it would almost amount to a disfranchisement of the electors in the old places. The franchise of the present inhabitants of Westminster would be diminished almost to nothing, if Pancras, and Mary-la-bonne, and the adjoining places, were

to be added to the present number of its electors. It would be like throwing the population of a large town into a borough; and he thought they could not adopt such a plan with any degree of fairness or consistency. The course, therefore, which they had taken was, to consider these places as separate boroughs, in the same manner as Westminster, Southwark, and London, though adjoining each other, had always been considered as separate and distinct boroughs, and had always sent separate Members to Parliament. In doing this, he thought they had taken the course most consistent with reason, and most in unison with the principle on which the present state of the Representation had been formed. The right hon. Gentleman had next told the Committee, that these Representatives of the metropolitan districts would give an overwhelming or overbearing power to the metropolis compared to the other represented places in the empire. With all due deference to the present Members for the metropolis—notwithstanding the respect due to them as Representatives of large bodies of men of wealth and intelligence—he must say, that the respect they obtained in that House was not overbearing, on account of the numbers they represented. When any peculiar deference was paid them, that arose in a considerable degree from the respect felt for their personal characters, and from their intelligence and their habits of business. Hon. Members might agree or not with what he was stating, but he would state truly his opinion on all points on which he addressed that House; and in doing it he was sure he should not, in the present instance, offend his hon. friends, the Representatives of the City. He might, perhaps, be prejudiced by his old habits of thinking in favour of county Members; but he must say, that he thought they, and not the metropolitan Members, were the men most marked and distinguished in the general business of the House. It was not the Members who came from Westminster, Southwark, and London, but those who came from parts of the country, which the right hon. Gentleman seemed to suppose had little weight in that House, whose conduct was, in fact, guided by the most zeal, and most attention to the business of Parliament. He might add too, that on many points their conduct was watched with the greatest degree of nicety. The right hon. Gentleman had spoken of the

want of zeal and want of activity of the county Members, as compared with that of the Representatives for the towns; in that opinion, therefore, he did not at all agree with the right hon. Gentleman. On the contrary, he believed, that the county Members performed the greatest part of the practical business of that House. It was also stated, that there ought to be no Members for Mary-la-bonne, because so many of the inhabitants of that district were Members of that House. He did not think, that that was a fit objection to be entertained. They must look to the state of the constituent body, and not to the particular number of men who happened to come into that House. He must confess he saw no reason whatever why a man who lived on the north side of Oxford-street, should be prevented, by that circumstance, from enjoying the elective franchise at the same time with the inhabitants of the south side of Oxford Street. In drawing the line of distinction, he did not think that they ought to draw a line that would exclude the most wealthy, intelligent, and populous part of the metropolitan district. Having made these observations upon the general question of the clause, he should now say a word or two upon the particular point of Greenwich. If they were about to give Representatives to those parts of the metropolis which were not now represented, he wished to know, whether they would not take the same view, with respect to conferring the franchise upon the populous places on the south as on the north side of the river — and whether any other course could possibly have been justifiable? The right hon. Gentleman had said, that the people of Deptford and Greenwich depended in a great measure upon the Government. It was true, that they did somewhat depend upon the Government, but not to such an extent as to affect the freedom of their election of Representatives. Still, however, if that were the case, the fact of the Government's possessing an influence came rather oddly as an objection from the mouths of those who had been in the course of these discussions so repeatedly objecting to this Bill as a measure that was calculated to destroy the influence of the Crown. It was supposed, that Deptford and Greenwich would become a sort of nomination borough for the Crown. Why, the idea of a nomination borough with a body of

40,000 electors, seemed to him an absurdity and an impossibility. The Government might possess some influence there—it was very probable it would—but not enough to affect the freedom of election. Under all these circumstances, he must say, that he did not see any justice in the arguments by which the right hon. Gentleman sought to exclude Deptford and Greenwich from the right of sending Members into that House; and he should certainly press it on the Committee to keep these places in schedule C.

Sir *Robert Peel* wished the noble Lord to understand, he had not intended to cast the slightest imputation on county Members. Quite the reverse; all he had said was, they did not usually exert so much versatility, or desire for change, as the Representatives of towns and boroughs. For this reason, he thought the provisions of this clause gave the party desiring change an additional power. He had always regarded the county Members as a most enlightened, intelligent, and useful body, but they did not possess the active, restless qualities of their opponents.

Lord *Althorp* could hardly approve of the explanation of the hon. Baronet, because he assumed one class of Representatives would be an offensive, the other a defensive class in relation to the existing institutions.

Mr. *Hudson Gurney* did not approve of the general arrangements of the Bill; but as they had disfranchised so many boroughs, by which the indirect Representatives of many interests in the metropolis were supported, he thought it necessary that these should be replaced by direct Representatives. He was very doubtful, however, if the new Representatives would be of such good materials as the old ones. They would not answer the purpose of protecting the various great interests so efficaciously as the borough Members. It was obvious, that in times of excitement, some of the worst description of Representatives would be returned; such as gentlemen-demagogues, who knew little, plausible public orators, who represented nothing but their own talents. But these were to legislate for futurity. Interests were permanent, excitement was transitory, the consequences would be, the great commercial and colonial interests which centered in the metropolis would lose their just weight. It would be unreasonable to leave the capital without a

large share of Representatives. He viewed the matter in yet another light, which made him anxious to uphold these clauses. Greenwich would probably, from lying near the river, send some Gentlemen to Parliament connected with the shipping interest, and Finsbury might elect a man connected with the great commercial and money establishments of the metropolis. Such representatives might serve as a balance to the Members for the new boroughs, who would represent the manufacturing interests in the north which had been erected. By the Bill, a great number of Members was taken from the south, and given to the north of England, so that the latter would have a great preponderance. By this clause, however, that evil would be much lessened, for the Representatives of the metropolitan districts would be a balance to those of the great towns in the north of England. The new Members for the metropolis would be Representatives of the old commercial and money interests of the empire, centered in the south of England, and he should, therefore, give his support to the clause.

Colonel Wood said, that the boroughs which had been disposed of were found extremely useful, in enabling officers from India, merchants in active business, and gentlemen retired from business, to gain admission to that House. The same facilities would not be offered by these new creations. He thought, instead of enfranchising these places, that it would be better to grant more Representatives to some of the great counties; and he had yesterday advised Ministers to begin by giving two additional Members to the county of York. He perfectly concurred in all the objections which had been urged by the right hon. Baronet to the establishment of these metropolitan boroughs. He thought it would be much more preferable to give to the county of Middlesex six Members, in the same manner as they proposed to give six Members to the county of York. These two counties corresponded pretty nearly in wealth and population, and probably, he supposed, in intelligence, although the geographical extent of Yorkshire was so much greater than that of Middlesex. There were the Tower Hamlets, which had a lord-lieutenant of their own, a county rate of their own, and a militia of their own. Let two Members be given to the Tower Hamlets. Let two Members

also be given to the eastern division of the county of Middlesex, and let Hackney be the place of election. Then, let there be two Members also for the western division of the county, and let Brentford be the place of election. Lambeth was another metropolitan borough which it was proposed to create, while, at the same time, the Bill gave two additional Members to the county of Surrey. He should suggest that the county of Surrey might be advantageously divided in the same manner as he had proposed that Middlesex should be divided. A similar plan might be adopted with regard to Kent, and he was convinced that such an arrangement would be quite as acceptable out of doors as that proposed by the Government. There were great objections to Greenwich, Woolwich, and Deptford being made a borough. From the large public establishments at these places, there was reason to fear they would be controlled by Government; and the plan he had suggested would have more beneficial effects. He had no hesitation in saying, that he should oppose the Motion.

Mr. C. W. Wynn said, that it was impossible to conceal the fact, that Members for such places as these were more under the control of their constituents than the Members for any other places. All experience demonstrated this fact. After what they had seen the other day of the conduct of the City towards one of its Members, who had thought proper to vote conscientiously—after what they had seen of the conduct of the borough of Southwark towards a gallant Officer, formerly the Representative of that borough—they need not go very far back for instances of this control. Now if, when a Member voted according to the dictates of his conscience, there was to be the next day a meeting of his constituents—of such persons as would form these new constituencies—to reprimand that Member for his past votes, and to dictate to him how he should vote for the future, then he must say, an influence would be exercised over the proceedings of that House which would be very inconvenient at least, if not dangerous. He believed, that the noble mover of this Bill had stated, in one of his early publications, this very argument as a reason why Representation should not depend entirely upon numbers; and few hon. Members, he thought, would forget that the principal evils of the French Re-

volution had resulted from the too great control of the constituents over their Representatives. He might be told, that he was going into an old story when he spoke of the French Revolution, but allow him to say, that it was an old story which ought to be ever present to their minds. What was the fact? Was it not the influence of the sections of Paris upon the Legislative Assemblies which produced all the worst evils of the French Revolution? Upon these grounds, believing that the plan would give an influence to the popular opinion of the metropolis, which would have a mischievous and injurious effect upon the proceedings of Parliament, he should oppose the motion before the Committee. In the expression of public opinion by large masses of society so situated, it should be remembered, that they had the opinion of the lowest classes more exclusive of those of the higher than in the case of any other popular meetings in the country. Let any man look to the periods of public clamour which had occurred in the history of the country, and it would be seen, that it had always been led by the populace of large towns, often created by them alone, and often effectually neutralized by the more sober and deliberate decisions of county meetings. He must not be told, that excitement in a district sending a Member to Parliament was of little consequence, and could produce but little effect upon the proceedings of Parliament. If the enactments of this Bill should pass into a law, and a popular clamour arise in Westminster, was it too much to say, that that clamour was sure to extend to London, to Southwark, to Greenwich, and to Deptford, and to all these new metropolitan boroughs? He thought not; and, if the constituencies of those places chose to meet, after the example of London, their Representatives would be compelled to vote in accordance with such clamour, instead of being allowed the exercise of their own reason and judgment. A common principle and bond of union would prevail among all the metropolitan Members, and they would act as a body in the House. For these reasons, he should vote against the Motion.

Mr. Warre said, he could not perceive any ground for apprehending that a Member would be the more under the control of his constituents because he happened to live among them. If a Gentleman voted contrary to the wishes of his con-

stituents, and a meeting of those constituents were to be called, for the purpose of expressing an opinion upon the conduct of their Representative, he could not see what difference there was between the Member receiving notice of the resolutions to which such meeting should come by the post—as that Member certainly would receive it—and the Member receiving it by some more speedy means of communication. The same result would take place in whatever part of the country the constituents of an hon. Member might happen to reside, and he did not think that that result was the more dreadful because a Member's constituents happened to live near the place at which the House of Commons held its meetings. He could not help expressing the opinion, that the right hon. Baronet (Sir R. Peel), in his speech, had much underrated the talents, abilities, and activity of county Members. Did the right hon. Baronet recollect the fight which the country gentlemen had made, a few years ago, upon the Corn-laws? Could any men have acted more firmly, or more intrepidly—could any men have attended in their places more constantly, than the country gentlemen did upon that occasion? And now, when a game bill was introduced, or when a question of hops or wool was touched, did the country gentlemen show any want of activity? He thought not; and he had no doubt, that the county Members would be a match for those who would be sent from the towns. He had no doubt, that the King's Government was taking a right course. He believed, that the towns would send to Parliament men of talents, and of integrity, and not such persons as were denominated, on the other side of the House, "gentlemen demagogues." But most hon. Members whom he was now addressing, had seen, that if a Gentleman in that House came forward with extravagant propositions, he was always in a very small minority, and was rendered much more powerless within, than without, the walls of Parliament.

Mr. Alderman Wood said, that he had been provoked, on a great many occasions, to rise and say something in answer to the remarks made upon the members for the city of London, but he had not done so from a fear that he should be assisting in delaying the Bill. He had not allowed himself to be provoked by the remarks of one right hon. Gentleman, but

another had now got up, and had, in the same spirit, referred to the members for the city of London. The right hon. Gentleman had treated the electors of the City as men of the lowest order, and as men who acted upon principles they did not understand. He must tell those right hon. Gentlemen, that they were mistaken in thus treating the Livery, for that many among that body were men of as high character, and of as much intelligence, and held a rank as elevated, and enjoyed a fortune as ample, as any men in that House, be they as high as they might. It had been stated, that they had exercised an improper authority over an hon. colleague of his, who had been called before them—or who had appeared voluntarily before them—he did not care which—and, he believed, there were several of those who smiled at the expression, able to testify to the disagreeable ceremony of being called to account, and to the more disagreeable punishment visited upon the crime of being found wanting. Hon. Members had spoken of the bad effect likely to be produced by the operation of the schedule they were now considering, and objected, that the constant presence of the Representatives amongst the constituents was an evil, inasmuch as that, in the midst of a discussion affecting the interests of the community, the former might be called upon to account for the course he had thought proper to pursue. But he begged to ask, whether a similar inconvenience had not been felt by Members of that House whose constituents were a hundred miles from the metropolis? In small boroughs it was an easy matter to call the Representatives to account, but there were difficulties in the way of precipitate complaint, or censure, in those which were extensive. The Livery consisted of a body of 14,000 or 15,000, and had his hon. colleague been called to account by that body? It had been said, that the meeting of that House on Saturday had been resolved upon in consequence of an expected meeting of the Livery; but had the Livery met? A few individuals of that body had met; but it was for the purpose of determining whether it would be advisable to call a meeting of the great body, and they came to what he considered to be a most wise Resolution—a Resolution not to summon their brethren, because they saw, that the right hon. Gentlemen who opposed the

Bill had begun to show that they were at length coming to their senses; because they supposed, that those Gentlemen might be looking out amongst the places upon which the Bill was to confer the advantages of the elective franchise for a passport to place. He begged the House would for a moment look to the nature of the Opposition. There were hon. Members objecting to give a franchise to 50,000 persons, after having been for days and weeks arguing, that a few hundreds should have it to the fullest extent. But the inconsistent opposers of the measure were not satisfied without throwing a slur upon the city of London constituency. He knew that the voters of the city of London were not equalled by any other voters in the country. If the House would look to the meeting of the merchants and bankers which had taken place in the city, in favour of Reform, and at which, several persons possessed of 100,000*l.* and 200,000*l.* each attended, they would acknowledge the injustice of the charge against the Livery. One of his great objects in rising on the present occasion was, to state his opinion, that it was but just in the Ministers to secure by their Bill, to those voters who would lose their franchise in the city by non-residence, the privilege of voting in the neighbourhood of the metropolis, where they carried on such extensive trade and commerce, and which they enriched by all the honourable means in their power.

Lord *Valletort* rose in consequence of the worthy Alderman having told them, that no meeting had taken place in the City respecting the proceedings in that House, and that no resolutions had been come to. He had so understood the worthy Alderman. There had, however, been such a meeting, and resolutions had been agreed to at that meeting. He held those resolutions in his hand, and he had cut them that morning out of *The Times* newspaper. His attention had been called to them by an expression in the leading article of *The Times*, which was to the following effect:—That although the meeting was adjourned for a time, yet that it was held *in terrorem* over the House. Let him, therefore, warn hon. Members on his side of the House, against whom this meeting was directed, that there was a sword hanging over their heads more terrible than the sword of Damocles; but let him, at the same time, express a hope, that

they would treat the threat as he should treat it—with utter and entire contempt. The resolutions ran thus,—“That, in consequence of the progress made in the Committee in the House of Commons, since the signing of the requisition to the Lord Mayor, particularly on Saturday last, when the disqualifying clauses were nearly terminated, and from the fear that the proceedings of any public meeting might, by those engaged in the present factious unprincipled opposition to the measure.”—[cheers.] “The worthy Alderman cheers that expression, but he did not use it in his speech; it is not his; and I challenge any man to apply such language to those with whom I sit; I say, that any man who uses this expression accuses us of what we are not guilty of; and I say, too, that that accusation is false.” The noble Lord continued reading the resolution as follows:—“And from the fear, that the proceedings of any public meeting might, by those engaged in the present factious and unprincipled opposition to the measure, be used as a new means of causing a frivolous and vexatious delay, this meeting withdraw their requisition for the present, and express their desire that a Common Hall should not immediately be held; and that the liverymen now assembled do form themselves into a Committee, with power to add to their numbers, and that such Committee do meet again on Monday next, or earlier if expedient, to consider whether it will then be necessary to adopt any and what measures respecting the passing of the Reform Bill.” This was, to have one Committee assembled here for the purpose of considering how the measure was to be carried through Parliament, and another Committee, or more—perhaps eight of them for the different districts of the metropolis—sitting elsewhere, to watch and control the proceedings of Parliament. Such a course could not but have a most injurious and unconstitutional effect in the House; but he hoped, that none with whom he coincided would be deterred from the manly discharge of their duty. He had brought down the extract he had read, without being at all determined to use it; but after what had passed, he thought himself in duty bound to produce the resolutions. [Mr. Alderman Wood observed, that they were not resolutions of the Livery.] If they were not resolutions, he did not know what were, and those who framed them called them so, for they said

that “the following resolutions were unanimously adopted” [laughter]. What there was reason to laugh at he could not see, for it seemed to him a very serious matter, that any set of men should stand, as it were, at the doors of the House, so presumptuously to attempt to influence its proceedings.

Mr. Alderman *Waithman* said, that no one could be more unwilling than he was to prolong this discussion; but after the speech of the noble Lord who had just sat down, he felt it necessary to say a few words. He was glad, that the noble Lord had thought those Resolutions of so much consequence, that the attention of the House should be called to them; but he was sorry, that Resolutions which the noble Lord had seemed to despise so much, should so far have affected him, as to lead him into so much loss of temper. [Lord *Valletort*: “No, no.”] Well, if the noble Lord had not lost his temper, he was unable to tell what losing one’s temper was. He was surprised, however, that the noble Lord, in reading those Resolutions, had not been able to draw a distinction between the meeting of a few individuals, and a meeting of the whole constituent body. His hon. colleague (Mr. Alderman Wood) had stated, very truly, that there had been no meeting of the constituent body; and his hon. colleague had also stated, with equal truth, that there had been a meeting of certain individuals. He knew the individuals who had passed those Resolutions; he knew that they were men of honour, of character, and of understanding, but he had had no communication with any one of them. He should not be acting honestly if he did not state plainly, that he knew there was an indignant feeling in the public mind at the manner in which this measure had been treated in that House. He hoped that he never should, in any public assembly, impute improper motives to any one; but whether the conduct to which he alluded had arisen from want of temper, or want of understanding, or want of any thing else, he must say, that he was not surprised at the indignation of the public. The noble Lord (Lord *Valletort*) had set him the example of quoting newspaper authority, and he should follow that example. He had seen it stated, he believed in the same newspaper from which the noble Lord had quoted, that 150 speeches had been made upon this Bill by only six Members; and,

when the public saw this, and when they observed, that those speeches consisted chiefly of tiresome repetitions of the same sentiments, he must say, that he thought it very natural for the public at large to fasten imputations of improper motives upon hon. Members who so conducted themselves. As to the question before the Committee, he would tell the right hon. Baronet (Sir Robert Peel), that it was quite impossible to extend the constituency of London any further, and that, consequently, his scheme was not practicable. As to the fears which the right hon. Gentleman, the member for Montgomery, had expressed, lest the constituency in the neighbourhood of London should hold meetings respecting the conduct of their Representatives in that House generally, he would tell that right hon. Gentleman, that if improper measures were sanctioned in that House, as they very often had been, it would be the duty of the constituent body of the heart of the empire to meet and declare their opinion upon such measures. He should like to know what the French Revolution, which the right hon. Gentleman had introduced, had to do with this question? The French Revolution was caused by the oppressive conduct of the French government; and there was no instance, that he was aware of, of there ever having been a revolution against a good government. He would tell the right hon. Gentleman, that if the Government of this country, and the Parliament, had persisted in those abuses of which the people had so often and so justly complained, and if the people, in consequence of that, had been driven to take the direction of public affairs into their own hands, we might have had here the same scenes which had occurred in France. He considered this measure, therefore, as a healing measure, and consequently, as a wise measure. He should like to know what the right hon. Gentleman meant by running down the constituency of the city of London? The right hon. Gentleman could not surely mean to say, that if any number of London voters were taken promiscuously, as one might chance to meet them in the streets, they would not be as good at least, man for man, as the constituency of Montgomeryshire. He would not detain the House any further than to say, that he should vote for giving Members to Greenwich and the other places. The country was with the

Ministers, and it was the duty of Ministers, therefore, to persevere and not to yield one inch of ground to the opposite party.

Lord Valletort said, that there were two accusations which the worthy Alderman had made against him, and to which he was desirous of making some reply. The first was, that he had lost his temper; and the second was, that he thought these resolutions very important. Now, he was not conscious of having lost his temper. He might have spoken with warmth, but there was a great deal of difference between warmth and loss of temper. So far, however, from thinking these resolutions important, if he had been angry at all, it was because any one should think that he, and those with whom he acted, could be affected by such resolutions being held *in terrorem* over them. Yet this seemed to be the opinion of the writer of the article in *The Times*, who imagined that Members of Parliament could be influenced in their conduct by the proceedings of those who had agreed to these resolutions.

Mr. Hodges said, that as the new constituency in this case was to be carved out of the county he represented, he begged to state, that he cordially concurred in the proposed arrangement; and that he believed the new boroughs would take a just pride in selecting, not only the ablest, but the most respectable Members. Greenwich formerly returned Members, and though the right hon. Baronet, the member for Tamworth, had spoken of the surprise with which the parish must have received the intelligence that it was to have Representatives, he (Mr. Hodges) could state, that a week before the Bill was introduced he had presented a petition from the parish of Greenwich, claiming the restoration of its ancient rights; but as soon as the inhabitants heard of the intention of Government to unite Greenwich with Deptford and Woolwich, they acquiesced in the proposal, and withdrew their own claim.

Sir Charles Wetherell said, that the hon. Alderman had been very facetious upon the number of speeches made upon this question by Members on that side of the House, of whom he was one, and perhaps one of the leading ones, to offend in that respect. But the hon. Alderman's notorious modesty had prevented him from telling the House the whole of that story, as it had been got up at a City meeting. The hon. Alderman's modesty had left out the

moral of the tale,—the point of the whole thing; but, in justice to the hon. Alderman, he would supply it to the House. When all these speeches had been calculated and enumerated in the City, it was added, that they had all been put to flight by one speech from the hon. Alderman; all their arguments were put down, or put to flight, or exhaled in the sudorific qualities of one speech from the hon. Alderman. A right hon. friend of his, for whose opinion he generally entertained the greatest possible deference, had, upon this occasion, stated an opinion, in which he regretted being only able to go along with him half way. He had said, that the Members returned from the metropolitan districts under this Bill would be gentlemen demagogues. Now, he agreed with his right hon. friend that they would be demagogues, but he must beg leave to differ with him upon the point of gentility. He thought they would be anything but gentlemen. He would undertake to answer for their gentility. Whether they would be educated or not educated, whether they would be enlightened or not enlightened, whether they would be useful or ornamental, he would not undertake to predict; but there were no words, expressing even the very antipodes of gentlemen, which would enable him to describe his idea of the anti-gentle qualities which these democrats would exhibit when they came into that House. The addition of ten Members to the Metropolitan Political Union of eleven Members, which had been already spoken of by his right hon. friend beside him, would constitute an union of twenty-one Members, which would be an innovation in the constitutional system of Representation that had never existed, and that ought not to exist. He did not mean to say, that such an union as that within the walls of Parliament, would be as dangerous as the Birmingham Political Union, with which a Minister of State had thought it fit and proper to correspond; but it appeared to him, that such an union, acting together, either by a spirit of party, by virtue of a previous compact, or by the active sympathy of similar feelings and influences in that House—it appeared to him, he repeated, that such a number of gentlemen, thus confederated together, would, as the right hon. Baronet beside him had already said, be a novel thing in the constitution of that House; and he, for one, did think, that such a novelty would be productive of mischief, to an extent which

he should not at present predicate. They had already seen how the city of London which would form a portion of that Metropolitan Union to which he alluded, had thought proper to erect itself into a judge of their proceedings, and to interfere in a most unconstitutional manner with the privileges of Parliament. Already the Livery were acting in close concert, and exercising an unconstitutional and dangerous influence; and although the constituent body might not yet be engaged, a Committee was sitting week by week to decide upon the necessity of calling it together. One hon. Alderman had been required to attend his constituents, to account for his conduct; and although his attendance had been termed “voluntary,” he defied any man to produce a sense of that word, justifying such an application, in all the dictionaries, from Johnson down to Entick. To be sure, as the worthy Alderman had said, the Livery of London had not as yet pronounced their judgment on that House—they had not as yet *fiated* their decree—they had not as yet thought proper to determine, in regard to a matter which was still under the consideration of Parliament, and in regard to proceedings which were only *in transitu*, that the House of Commons must, *nolens volens*, pass the Bill in the shape that would please them—they had not as yet come to that redoubtable civic determination; but their resolution was only suspended; and if that House did not comply with the demands of the Livery, then down would fall this petition, like the sword of Damocles, upon their devoted heads. And this was the sort of Representation by which the Members for the city of London were honoured. He remembered, that when Dr. Johnson was asked for a definition of a *congé d’elire*, he replied, that it was like throwing a man out of a garret window, and recommending his falling upon the ground. In the same manner, the Representatives of London were sent into that House with a *congé d’elire*, which left them only one course to pursue. Would not this be the case with all the other metropolitan Members, and would they not be bound together, in the same chains with which the four Members for the city of London were now bound, disgracefully bound, together? It had, on one occasion, been declared, that no Deputy to the French Chamber, should be considered as the Representative of a Department, but of the whole nation, and

he must contend, that if this part of the Bill were adopted, we should have what the French decried, a Departmental Representation, controlling and influencing the proceedings of the House. The principle upon which this enfranchisement proceeded, was directly opposed to that which had governed the disfranchisement of other places. In Guildford, and other towns, the Representation had been cut off, because the towns happened to be bisected by parochial divisions; but when they came to give Members to Greenwich, they took in the parishes of St. Nicholas and St. Paul, Deptford, and of Woolwich, in the county of Kent. And this was done after they had, in a manner offensive to common sense, refused to extend the same principle to important county-towns, when by so doing, an ample, and far more trustworthy constituency, might have been formed. The tendency of all their measures was, to give an undue preponderance to the manufacturing and commercial districts, which, in his opinion, had already a sufficient influence in Parliament. Not content with depriving the landed interest of forty Members in schedule B, and giving them to the working classes, Ministers, in addition, were about to add twenty more Representatives to populous places. Thus, instead of increasing the influence of the already weaker body, Ministers were, according to their usual rule of contraries, adding to that which was the stronger party. Several principles had been laid down on the other side, none of which were closely, if at all, observed, and, though much had been said by the supporters of the Reform Bill, as yet he had heard no sufficient reason assigned why Greenwich should be favoured, and Chelsea, unhappy neglected Chelsea, remain without Representatives. For his part, he could see none, and perhaps the worthy Alderman, who so stoutly advocated the increase of Members for the metropolis, could not, in the exercise of his ingenuity, give a better reason for the distinction that had been made, than that Greenwich was below London-bridge, and Chelsea above it. Both these places were in many respects similar. They had each institutions which reflected honour on the country, asylums for men who had served their King and country, but neither the difference of one being above the bridge, and the other below it, nor the difference of

red coats being worn at one place, and blue coats at the other, could make a distinction in their respective claims for the exercise of the elective franchise. He mentioned this, as might easily be seen, solely for the purpose of shewing the absurdity of this Bill, and not to enforce the claims of that place. Many other large and populous places near London, had in the same way been unfairly neglected by the noble Lord. Garrat, for instance, where there could be no difficulty in finding a returning officer, inasmuch as a Mayor was annually elected. Grass-growing Battersea, cabbage-cultivating Fulham, rural Richmond, and picturesque Petersham, together with the lofty and rival eminences of Highgate and Hampstead, seclusions for courtship and cockneyism, were equally disregarded. Why, too, was unhappy Redriffe omitted? Why was not that affluent and hospitable vicinity to return its demagogue-gentleman, or gentleman-demagogue? Whatever silence might be obstinately observed on the other side—however the noble Lord might submit to a sort of voluntary lock-jaw, the people of England would expect a justification of the conduct of Ministers, and would require, that the decisions of the House should be founded, at least, upon the principles of common honesty. Why did not his Majesty's Ministers sail up the Thames, and they would find a population, equal in number, wealth, respectability, and gentility, if that was any criterion, to that which they had found in Greenwich. It was a most arbitrary selection; but then, said the noble Lord (Lord J. Russell), Greenwich had formerly a Member. Now this might be true; but it was a very odd thing, that, because Greenwich had formerly a Member, one should be taken from Guildford, which always had two, and given to Greenwich [laughter]. Those were pleasantries, and it might be said by some, *vous plaisantez ici*; but he agreed with the hon. Alderman, that the people of England were acutely looking to the proceedings in that House, and that they would expect to find some reason, or some ground, for the propositions submitted to it. It might be a very agreeable thing for the Admiralty barge to go down to Greenwich next time, with two new Members of Parliament—no doubt a precious cargo—but some reason ought to be given for the proposal. Looking at all the circumstances,

he could not see that any case had been made out to require an increase of the Members for the metropolis, nor had he heard any attempt made to answer the close and logical speech of his right hon. friend (Sir Robert Peel), which shewed, that no principle of justice or policy required the preference which was given to Greenwich, or which at all justified the giving it Representatives.

Captain *Berkeley* begged to state, in allusion to one observation of the hon. Alderman (Wood), that the transaction to which he alluded, the burning of his hon. colleague in effigy, did not arise from the vote which his hon. colleague gave on the question relating to the borough of Downton, and was not a proof of the sentiments of the people of Gloucester. Those who got up that farce were not Reformers, but a party opposed to his hon. colleague.

Mr. Alderman *Wood* said, he did not intend to reflect on the hon. Member, he merely alluded to what he had seen in the newspapers. He had made the remark in reply to the observation, that Members for places near the House were more under the control of their Constituents, than those who Represented places farther off.

Mr. Alderman *Thompson* hoped the Committee would bear with him for a few moments, as he had been alluded to very frequently in the course of these debates, and had never before ventured to take any notice of the observations which had been applied to him. As the hon. and learned member for Boroughbridge, (Sir Charles Wetherell) had, for the fourth or fifth time, however, alluded to a transaction in which he (Alderman Thompson) was concerned, and had made some observations reflecting on his character and independence as a Member of that House, he felt himself called upon to break through the silence he had hitherto observed on the subject. In the first instance, he would state, that the hon. and learned Gentleman was totally misinformed, when he supposed that he (Alderman Thompson) had been summoned before a body of his constituents to answer for his vote; and that, in order to make his peace, he had surrendered his independence. That imputation he totally denied. He had heard, that the Livery of London was about to meet at the Guildhall, and he was told, that the meeting was about to be held, under a supposition that he had

acted differently from a promise he had given, or, to speak more correctly, from the expectation that was entertained as to the manner in which he should act. Hearing that a meeting was about to assemble under such an impression, he felt that anxiety which any man of honour or integrity must feel, to set himself right. He had repaired, therefore, to Guildhall, without any summons, in order to make a precise statement of the circumstances as they occurred. He told them the circumstances of the case, and he would venture to say, that no person came into that House more free and unshackled than he did, as to the general course which he was at liberty to pursue. He was asked at the election by an important body of his constituents, whether he was disposed to support the Bill brought in by his Majesty's Ministers, in the same way as he had done last Session? He answered unequivocally, that he would do so. In answer to another question, he said, that, if any boroughs set down in schedule A, or in schedule B, to be totally or partially disfranchised, to the partial or total disfranchisement of which he saw rational objections, from the population, wealth, or respectability of the place, he would reserve to himself the right to resist such parts of those schedules. He would appeal to his hon. colleagues if such had not been his declaration to his constituents. He should, therefore, not allow himself to be told in that Assembly, that he was a disgraced or dishonoured Member of it. Looking back over the whole course of his conduct in that House, he could not recognize an occasion on which it was possible to presume, that he had given a less honourable or disinterested vote, than the learned member for Boroughbridge. On the occasion which had been so often, and, he would add, so unfairly referred to, he came into the House at the conclusion of the debate on the case of Appleby. He was acquainted with the peculiar circumstances of that town, and he knew many of the persons who had signed the petition; but he confessed he did not know that the object of the Gentlemen with whom he then voted, was so irregular, as to wish to get up a debate in the case of every borough, on the question whether that borough should be defended by Counsel at the bar of the House. On consideration, he was convinced, that he had acted injudiciously in supporting that

motion; but he was sure it would be conceded to him, that it was no very rare occurrence for Gentlemen to vote in a division, without having heard the whole debate upon the subject on which they divided. He still thought, that it was his duty to state in that debate, what he knew respecting the parish in which Appleby was situated. He thanked the Committee for having heard his explanation with so much attention. He did not think that it was altogether liberal on the part of hon. Gentlemen to refer, night after night, to his conduct in a particular instance. He hoped, that after the explanation which he had made, his feelings would not again be assailed by such dissertations as the learned member for Boroughbridge had that evening indulged in. He would now only detain the Committee by one remark upon the question which had been asked by the hon. and learned Member—namely, why it was that Greenwich and Deptford were to have Representatives, whilst they were refused to Chelsea? He thought that he could give a better reason for the distinction than that which the learned Member had given, as the answer to his own question. It was this—that there were in those places a great many extensive ship-yards and manufacturing houses, and that the population was respectable, important, and wealthy.

Sir *Charles Wetherell* said, that he had been charged by the worthy Alderman with making attacks upon him, but he had not done this. It was the hon. Alderman behind him who had first referred to the debate upon Appleby.

Mr. Alderman *Wood* gave a flat and distinct contradiction to the statement of the hon. and learned member for Boroughbridge. The debate upon Appleby had been referred to by the right hon. member for Montgomery.

Mr. *Baring* was sure, that no personal unkindness was meant towards the hon. Alderman. The remarks had not been made in any spirit that could be considered a departure from those rules which usually governed Parliamentary Debates. He was satisfied, that his hon. friend had not in any way deviated from those principles which he had professed, nor could his vote on Appleby be considered as inconsistent with his general support of the question of Reform. No vote of his had indicated any change of opinion on that

question; but he must say, that the case of his hon. friend was closely connected with, and illustrative of, a broad principle which had been contended for by the opponents of the Bill. That principle was, the great inconvenience and danger of subjecting Members of that House to the immediate and sensitive control of their constituents. This was one of the many instances in which such control had been found to operate unfairly. The case of Sir Robert Wilson showed also the inconvenience arising from the want of independence on the part of Members, without which no business could be advantageously conducted in that House. With respect to the threat held out as a kind of rod over the heads of Members, that the public eye was fixed upon them, he considered it but a fair indication of the future conduct of Reformers, should this Bill pass into a law. These examples, and the treatment which his hon. friend experienced, pointed out clearly to all those who had a knowledge of mankind, what would be the condition of a Reformed Parliament. Even in the present Parliament attempts were made to stifle discussion and prevent deliberation. The question of giving Members to Greenwich was taken up as an instance of the undue influence about to be given to the suburban districts, and not for the purposes of delay; and yet delay was charged upon those who wished to deliberate. When this complaint was made, it ought to be recollected, that it was not merely the single question of Greenwich that was at issue, but the whole proposed Representation of the metropolis was involved in the discussion. Surely, upon so important an occasion, the delivery of a Member's opinion was not to be considered as given for purposes of procrastination. Such charges applied more properly to those who attempted to stifle opinion on a subject that involved, in a great degree, the future welfare of the nation. In the course of some observations which he made on a former evening, he had made some allusion, by way of comparison, to the town and county Representations; and from what he had since observed, he feared he had not, on that occasion, made himself intelligible, or that he had been misunderstood. Nothing could be farther from his thoughts than any disrespect towards country gentlemen, who were the very persons to whom he looked for safety under this new Constitu-

tion. He too well knew their ability and attention to the general interests of the country, as well as their integrity, and of all others, they were the last body in the country upon whom he would make any invidious observations. All he meant to say was, that a country life had a tendency to quietness. It had been observed by several, and, amongst others, by a distinguished French writer, that an agricultural life led to quietness and repose, whilst the pursuits of commerce tended to activity of mind, and even to agitation. In his opinion, country gentlemen would find themselves much mistaken, if they thought that mere numbers, in a Reformed Parliament, would enable them to compete with the Representatives of towns approaching in the franchise to universal suffrage. In such places as Westminster, where the suffrage would be nearly universal, the gentry would be ranged on one side, and whole masses of the community on the other. In this remark, he meant no offence to his hon. friend who had so long represented that city; but he could not help thinking that, under the Bill as it stood (and which it appeared was not to be changed), such places would not make choice of the best Representatives. They had not yet come to the qualification clause, which was to confer on every 10*l.* householder the right of voting, and by which universal suffrage as he would call it, was to be conferred on large places. That he thought a dangerous clause; and from what he understood, it was not to be changed, nor, according to certain resolutions entered into, was it even to be submitted to the deliberative sense of Parliament; but was to be pressed on by Ministers, who, with majorities at their back, regarded not arguments, but numbers. He was not letting out any secret, when he stated, that he understood the supporters of Ministers were required, and agreed, to give up their individual opinions, and had determined not to make what they themselves considered necessary alterations in the Bill. If that was to be the case, then would the suburban districts in particular have that precise scale of franchise which the hon. member for Shrewsbury (Mr. Slaney) had shown to verge on pauperism. When the Bill was thus passed, or rather forced on, without the deliberate opinion of Parliament, there would be no receding. If Parliament gave too little in the way of franchise, they

might easily give more at another time; but if they once gave too much, they could never remedy the evil. In any way in which he viewed this measure, he thought it fraught with danger. Under the new system, there would be reaction on the House from abroad, similar to that produced by the clubs in France, which had caused so much inconvenience and confusion. The worst part of this Bill was the disfranchisement of small towns, and the enfranchisement of large ones, without limit, or restraint, and, as he contended, without necessity. An hon. Alderman had that night told them, that no tumultuous meetings ever took place under a good Government. This he denied, and would give several instances to the contrary. Why, no later than Monday last, he understood and believed, that not less than 20,000 or 30,000 persons were assembled in Spa-fields, while his Majesty was on his way to London Bridge, and there disseminating revolutionary doctrines. What security would there be for liberty or property, if such a plan could be carried on, under the new system, with impunity? His great hope and consolation were, that when the country saw the manner in which this measure was forced upon Parliament, the people would see their real interest, and resist it. If they did not, he should give them less credit for judgment than he had always done.

Mr. *Hobhouse* said, he felt himself called upon by the observations of the hon. member for Thetford, to make a few remarks on the subjects he had introduced into the discussion. He wished the hon. Members opposite to be fairly heard; but, he would not attempt to waste the time of the House by refuting arguments which had been ten thousand times refuted, or by discussing principles which had been completely settled. The hon. Member who had just sat down seemed particularly anxious about Westminster; and, though he had so long lived in it, it was surprising, that he should be so ignorant of the nature of its franchise, and the mode in which it returned Members to Parliament. The hon. Member made a most unfair charge against Ministers, by stating that, in altering the constitution of Westminster, they would deluge the borough with 10*l.* voters. He did not know where the hon. Member must have lived, to be so ignorant of the franchise of that borough, for he believed it was known to

almost every one, that in Westminster the scot and lot householders had a vote, and that by the Bill, not less than 1,500, or 1,800 of the constituency would be cut off. While hon. Members on the opposite side of the House complained that his Majesty's Government did not adhere to facts, had he not a right to complain of his hon. friend, when he made such an erroneous statement respecting Westminster? This, however, was only one specimen of the correctness of hon. Gentlemen opposite; but it was not by such paltry, by such temporary, expedients as had been resorted to, that the question was to be defeated. Hon. Members seemed to take it for granted, that the people, from a natural feeling, had a tendency to destroy every thing like good order and good government; and that, if they should have full play, their plans would be fatal to the Constitution of the country. He denied the assertion. The people of this country, even that class to which the hon. Member alluded, had no such wish, and showed no such inclination. He had the more reason to complain of such an insinuation, when coming from an hon. Member of that House of great experience, of high character, and who, from his intelligence, was entitled to high respect. But it was not only that night he had reason to complain, for on other occasions he had repeatedly fallen into the same line of argument. He said, what chance was there of the voice of reason being heard in Parliament, when Members were returned by such electors? But what his hon. friend might call reason, he, perhaps, regarded as folly and self-interest. His hon. friend spoke of what might happen, but he would speak of what had happened, and assert, that no body of men ever sat together who had displayed more fatuity than had been displayed by the Houses of Parliament. He could quote many instances to prove his assertion, but he did not consider it at all necessary to do so, because it was evident, that while Members differed on first principles, it was needless to quote instances. The right hon. Baronet, the member for Tamworth, said the other night, that facts proved, that the system worked well; but he could state with as perfect confidence, that it worked ill. When, therefore, they differed on first principles, it was not for the House, but the country, to decide. The country knew that it was vain, and he

would say it was vain, to dispute on first principles, when it was known that, by disputing on first principles, they might lose the opportunity for ever, of attaining a practical good. His hon. friend had asked, if the Bill were carried, who could they have for Ministers of the Crown? He would as soon consult the electors of Westminster, on that subject, as consult those who had so long appointed the Ministry. The King was not at liberty to choose his Ministers, for, before he could give his consent to the change, he must first ascertain whether it would be agreeable to those Gentlemen who possessed the parchment bonds. The King was obliged to inquire, not whether such and such a man was a man of talent and integrity, but whether he had the consent and support of my Lord this, and the Duke of that. He had to ascertain if the owner of the rotten borough of Callington, and the half-owner of the rotten borough of Thetford, would support the man he wished to be Minister. The King must inquire whether he could command the half of Boroughbridge, and dispose of Newark as occasion might require? Such was the free choice of the King. He was compelled to bow to that House which he himself created. He begged to remind his hon. friend, the member for Thetford, who had taunted the electors of Westminster, that they were a free and independent body of men, and he trusted that their influence would have an effect upon the country. The electors of Westminster were as independent a body of men as any that could be found. They felt grateful for the measure brought forward by his Majesty's Ministers, because it got rid of an evil which had too long existed. They saw that by it, the grievances under which they had laboured would be removed. But with regard to the operation of the Bill on the Representation of Westminster, it must be, in one sense, injurious. The electors of Westminster would no longer stand pre-eminent—he did not mean as respected himself, or the talent of their Representatives, but for the principles which they supported; they would no longer hold almost exclusively that high privilege of freely choosing their Representatives, nor would their Representatives be any longer almost the only Representatives of a large, and intelligent, and wealthy town constituency. Other places of importance would have,

in that House, Representatives chosen by the people, and expressing their sentiments. The right hon. Baronet (Sir R. Peel) had, in his speech of last night, admitted, that it was impossible to deny there was a feeling in the country in favour of enfranchisement. The right hon. Baronet said, “that a change must take place”—he had admitted that. Did the right hon. Gentleman allow, that a change must take place with respect to enfranchising large towns? Was it so evident that such was the will of the country that a change was inevitable? But was it a “must” in one case, and not a “must” in the other? Did not the people demand disfranchisement also? He thought, that the right hon. Gentleman was wrong in his estimate of the feeling which prevailed, if he thought the minds of the people were not as intent upon disfranchisement as upon enfranchisement. He (Mr. Hobhouse) believed, that the people thought more of disfranchisement than of enfranchisement, and so convinced was he of that, that had his Majesty’s Ministers only disfranchised the rotten boroughs, without enfranchising the large towns, so deep would have been the debt of gratitude on the part of the people, that they would have been contented to wait some years before the other part of the Bill was carried into effect. They would have remained satisfied for some time in seeing that destroyed which was rotten, before proceeding to build up a new fabric. With respect to these districts, he had listened with the utmost attention to the speech of the right hon. Baronet, the member for Tamworth; and would frankly own, that there was, in that speech, a great deal of forcible argument; but he must be permitted to say, nevertheless, that the great argument of that speech was based on that which has been the ground taken by all the opponents of this Bill—namely, that there is something mischievous in giving this description of people votes, because, by so doing, we arm them with power which they can exercise against the Constitution, and against the interests of the country. He had seen no case adduced in support of that assertion. He was not aware, that in any great populous districts, the choice of the constituency had generally fallen upon individuals hostile to the Constitutions, or inclined to destroy the institutions of the country. The individual

Members of that House who had shewn themselves most inclined, and had been most able, also, to undermine the political, and the legal Constitution of the country, were not to be found among the Representatives of populous places. His hon. friend opposite said, that popular Representatives would never listen to reason. Could his hon. friend say, that the boroughmongers had ever shewn, or did they now shew, themselves disposed to listen to reason? A noble Lord had spoken of the borough of Wootton Bassett, which that noble Lord now represented, as having been the place to which Bolingbroke owed a seat in that House, and whom the noble Lord had eulogised, quoting, at the same time, an opinion expressed by that writer. That, certainly, was an unfortunate case, for he begged to say, in his opinion, a greater rogue than Bolingbroke, nor a more trumpety philosopher, had never been sent by a rotten borough into that House. The noble Lord who had introduced the name of Bolingbroke was not ignorant, but, on the contrary, was, as every one knew, well acquainted with history, yet he must say, that the noble Lord must have presumed on the ignorance of his auditors, if he supposed, that it was to avail his cause. The hon. and learned member for Kerry gave a complete answer to the argument of the noble Lord, by reminding the House of a gentleman of the name of Mr. Benjamin Walsh. Of these two, he preferred Mr. Walsh—for he never left to the country a legacy of mere subtle philosophy, or a code of bad morality—he left no essays on history, from which the youth of the next generation might learn how to become as great rogues as himself—he never left us anything but a penal statute, which prevented other persons from taking advantage of that which he found unprotected when he had the honour of doing so much credit to rotten boroughs in this House. His hon. friend, the member for Thetford (Mr. Baring), had seemed to make it a matter of complaint, that there was in that House no organ of the Foreign Department: he had been accidentally absent when a question was about to be asked by the right hon. Baronet (Sir R. Peel), with the best intentions, of course. Did hon. Members forget, that during the whole existence of the late Government, the Secretary for Foreign Affairs was not in that, but in the other House of Parlia-

ment? yet no want of his presence was for a single moment complained of or felt, since the right hon. Baronet, the member for Tamworth, as the organ generally of the Administration, answered all questions respecting any department of which the head did not happen to be in the House; and, in many instances, answered questions for members of the Government who happened to be present in their own proper persons. He did not attach much importance to the absence of Ministers from that House. Instead of thinking, that they had been too few there, he thought they had been too numerous. He recollected the time when the right hon. Baronet managed the official business of that House, with little assistance from his colleagues, most of whom had seats in the other House. He had no apprehension for the fate of the Bill, which he was sure would pass into a law, notwithstanding the strenuous opposition of his hon. friend, whose vote, however, he thought was a conscientious vote, notwithstanding his interest in Callington and Thetford. His hon. friend shewed he was conscientious, by his fears, and he seemed to think that armed men sprang from the ground, when a demagogue stamped. For his part, he could not believe there were 25,000 persons in Spafields, on the day of the opening London Bridge ready to overturn the Constitution. His hon. friend could not believe such to be the fact. He would rest the question relating to Greenwich and the other towns upon the mere question, whether there had been such an assemblage? He would tell his hon. friend it was not so. Was the House and the country to be frightened from propriety by such a tale? His hon. friends who sat on the same side of the House that he did, and who had adopted the resolution of supporting the great measure of Reform then under the consideration of the House, were taunted with being a pledged and unlistening Majority. Lord North had sometimes been reproached for falling asleep in his place in that House, but the answer of the noble Lord was, that he often wished to sleep, and could not. He wished he could be an unlistener to the many speeches that were made. He considered the subject had been argued over and over again, and that it was a mere waste of time to be continually replying to the speeches made by the opposers of the Bill—their object being evidently

delay. He begged to say, that he did not blame them for the course they took, believing as they did—and he was bound to admit conscientiously—that the measure was fraught with that danger which they asserted. If he believed as they did on the subject—if he had an interest like them in arguing on that side of the question, he would delay the measure as much as possible, but he would also own, that his object was delay. This would be putting the question upon intelligible grounds. It would be the fair and candid way of opposing the Bill, to declare that delay was what was sought by its opposers in the course taken. But it was the business of the friends of the measure, let it be borne in mind by the House, to prevent delay as much as possible. The supporters of the Bill were not to be caught in the traps which the young fowlers on the opposite side had thought proper to set. The experience of the world had taught him to reject the advice of his adversaries. It was a good general rule upon which to act, and he trusted in the present case, that the friends of the Bill would not do as its enemies recommended. The Members of that House ought to represent the Commons of England, and consequently, ought to respond to their wishes. Taunts had been thrown out against the friends of Reform, because they were pledged to support the Bill. It was rather too bad to hear such taunts fall from the lips of hon. Members who had no right whatever to a seat in that House—who were merely sent there by a nominee—sent, too, not to attend to the public interests, but to the interests of their patrons. He disclaimed any personal allusions in what he felt it his duty to declare. He must confess he heard with surprise the taunts which had been thrown out respecting what had transpired in reference to the constituency of the City of London. It would appear that a great and populous constituency were not to exercise any control over their Representatives, but that control might be exercised over Members who represented nomination boroughs. What did the right hon. Baronet (Sir Robert Peel) do, when he differed from his constituents, the electors of the University of Oxford? His conduct was in effect this:—"You have returned me to Parliament for one purpose, and I have thought it my duty to take another

course. Here is the trust which you have reposed in me again placed in your hands." This was the proper course to take. It was truly honourable. The right hon. Baronet had shown, that he considered that the Members of the House of Commons were bound to represent the people of England. He begged to ask the right hon. Baronet, what were the workings of his mind when he resigned his seat for Oxford? Was he not pledged against the Catholic Question? It was well known that the speeches which the right hon. Baronet had delivered in that House as an Anti-Catholic Member, had procured for him the suffrages of the electors of Oxford, and the observation of Mr. Canning upon that would probably be remembered, that he did not envy his right hon. friend, who was then his Colleague, the Representation of that University, for he deserved it; and to this he would add, that the right hon. Baronet never deserved it better than when he resigned it. His hope was, that the peculiar interests of the country, pressing on all persons at that moment, might induce the right hon. Gentleman now to show himself equally susceptible of the true course of public duty. He thought he saw a struggle in the mind of the right hon. Baronet, and a conviction, that he was fighting a hopeless battle—one in which there was no glory to be gained, because it was a stand against the voice of the country. His hon. friend, the member for Thetford was always telling the Committee, of the time to come, and the danger of carrying the provisions of the Bill into operation. For his part he really entertained no fear respecting the passing of the measure. He trusted, notwithstanding what had been insinuated and asserted in the course of these discussions, respecting the influence of another place—if he might allude to it, for it was a question which properly belonged to that House, that the Bill would be carried triumphantly. He would ask, if this great measure was stopped, what would be the result? He had heard it said, they were not to talk about the consequences, and that the Bill was to be rejected was settled elsewhere. This he considered unconstitutional, but he would say, he had no fear for that which might happen elsewhere. He had no fear, for the Members of the other branch of the Legislature would know their own interest. His hope was, that they would know that

this great Question belonged exclusively to the House of Commons. It did belong to the Commons of England. "We have heard their advocates" said the hon. member for Westminster, "in this House, and we are not to have their overbearance in the other." Was it denied? The hon. member for Thetford had said, "Thank God, if the influence of the Peerage was not paramount in that House, it was at least useful." If the great Question, after having been disposed of by a majority of that House, and sent to the other House by the real constituency of England, was to be decided against them, he would ask the Peers to consider, whether those were not their best friends who advised them to march in unison with the people of England, rather than those who counselled them to take a line of road which led to an impassable torrent, in which they would be inevitably overwhelmed and lost. They were the elegant Corinthian capital of the society, according to Mr. Burke; but what would they do if they wanted a base? The strong case of the hon. Gentlemen opposite was, that they were nominees [*"No," from the Opposition.*] These "*Noes*" were extraordinary, for the great merit, or the stronghold of the opponents of this Bill was, that they were nominees sent to that House to prevent the excess of popular power, and they themselves had fifty times over declared their merit and their strength to be, in having been sent there, not as a control for the people, but a control upon them. Yes, they had been, as they themselves stated, sent there to prevent the accelerated progress of popular opinion, and on that the chief argument of the right hon. Baronet had rested. He would not then go any further, but he should give his decided vote in favour of the proposition before the House; and his only apology for not before having given his opinion on the subject of this Bill was, the consciousness of his own want of influence, and his desire to have it passed for the general welfare of the nation.

Mr. *Baring* was doubtful of the correctness of the assertion of his hon. friend, that many of the present electors for Westminster would be disfranchised by the qualification attached to the present Bill. He feared, on the contrary that the franchise would be extended; and both there and in Southwark, great additions would be given to the power of the people.

Mr. *Charles Calvert* begged to state, that the right to vote for Southwark was in the scot and lot electors, many of whom would be disfranchised by the present measure.

Mr. *Baring* would then advert to another point, and from all he could collect of his hon. friend's speech, he seemed to consider democracy as the best kind of Government. His hon. friend had, moreover, given them a clear view of the result of the system of Representation he advocated, by the manner in which he had spoken of another place. It was impossible to hear of the easy mode in which he had disposed of the authority of the other House, without understanding the hon. Gentleman's allusions. His sole object was, to have the interests of all classes of the State joined, agreeable to the spirit of the Constitution and he feared the result of the present measure would be to destroy this.

Mr. *Goulburn* said, that the speech of the hon. Gentleman who had just sat down, so far from justifying his vote, would afford the best possible argument for that which he (Mr. Goulburn) intended to give. The question was, whether or not they would increase the Representatives of the metropolitan district by ten, and in maintaining that they ought so to do, he told them the Lords were not entitled to come to any decision upon that question.

Mr. *Hobhouse* explained what he had said respecting another place, which was, that the House of Lords would much rather concur with the general feeling of the country, than oppose themselves to that, as well as the expressed opinion of this House.

Mr. *Goulburn* resumed. He certainly heard the hon. Gentleman say, that the present was a question solely for the Commons, and that the Lords incurred the hazard of being overborne by a torrent, if they opposed themselves to the popular will. The hon. Gentleman, had perhaps, spoken inadvertently, but his argument was destructive of the principles of the Constitution. He was the advocate for freedom of debate, and could never consent to have Members returned to that House who would destroy in the House of Peers that check upon democracy which constituted one of the most valuable principles of the Constitution. The right of discussion and decision upon the measure then before the House, or any other measure, belonged to the House of Peers. It was a right he knew to be indisputable. It appeared

to him, that the only way to meet the growing democracy of the country was, by affording a full and fair opportunity to the other House of Parliament to decide upon this momentous question. With respect to the principle upon which the provisions of this Bill were founded, he must again and again state, that they were to him utterly incomprehensible. While the disfranchisement of boroughs had been going on, the increasing suburbs and neighbourhoods of particular towns were pressed upon the attention of Government, but without producing any effect; and yet now, when the enfranchising clauses were before the Committee, one of the principal arguments insisted upon by Ministers was the increasing suburbs of the metropolis. The hon. Member, in his argument in favour of the union of circumjacent districts, admitted that Westminster would suffer a reduction of its voters. If that was so, what became of the noble Lord's argument, that vested rights would not be touched? The hon. member for Westminster had spoken of the nominees that were sent into that House to oppose the Bill; but he begged to tell that hon. Gentleman, that he (Mr. Goulburn) was the nominee of no patron, for he represented a constituency as enlightened, to say the least of it, as that which returned the hon. Gentleman to Parliament; but when the hon. Gentleman was pressing this point upon the attention of the Committee, he (Mr. Goulburn) could not help wondering, that it had never struck him, that there were nominees on both sides of the House, and that before he ventured on making such a charge, it would have been as well for him to have looked at those who were in his own immediate neighbourhood. When he looked to some of the districts to which it was proposed to give Representation, he found great inconvenience must occur. In the Tower Hamlets alone they would bring in from 25,000 to 26,000 voters. As to what the hon. Gentleman had said, respecting the right hon. Baronet having given up his Representation of Oxford, he perfectly agreed in all that had fallen from him: but he thought that this very case was an argument in favour of close boroughs, instead of one against them; for in what a state would his right hon. friend have been, if, after resigning Oxford, he could have found no means, as a Minister of the Crown, of obtaining another seat in that

House. Would the hon. Gentleman tell the House what might have been the consequence to the great measure of Emancipation if the right hon. Gentleman had been deprived of all power to advocate and carry through the House that great measure? Had it not occurred to the hon. Gentleman, that the borough of Westbury was most useful on that occasion, and that it furnished a strong argument against the disfranchisement of that class of boroughs? With respect to the case of Greenwich and the other townships, he should vote against the Motion, conceiving at the same time that the course he adopted was supported by the arguments of the hon. Gentleman. If Representation was extended to Greenwich, other divisions of the metropolitan districts more numerous would require the same privilege. There was another district, containing 176,000 inhabitants, that would demand Representation, which, in justice, and upon the noble Lord's scale of numbers, could not be withheld. Greenwich had no other claim than that founded upon its 50,000 inhabitants. The union of those districts was objectionable in many points of view, and, therefore, he should oppose the Motion.

Mr. *Macaulay* thought, that the right hon. Baronet had, to a certain extent, contradicted himself; for he refused to vote for the enfranchisement of Greenwich, because it would be a nomination borough under the control of the Government, and yet he had complained, that under this Bill the Ministers of the Crown would have no opportunity of obtaining seats in Parliament. But another objection that had been urged against the admission of the new London districts to the right of having Representatives was, that it was contrary to the ancient rule of the Constitution to give more than two Members to any place. This appeared to him to be entirely a mistake. London had always had four Members, and Westminster and Southwark two a-piece, though their division from the City was described by a very narrow line. To give, therefore, Members to these new and flourishing districts of the metropolis, would be strictly following out the precedent already set; besides which, in all previous plans of Reform that had been submitted to the House (including that proposed by Mr. Pitt in 1785), it was always a part of the proposition, to give additional Members to the suburbs of London. It was with plea-

sure that he had heard the right hon. Baronet, on the previous night, state, that now that the enfranchising clauses had come before the House, he should not have to continue that opposition which he had felt it to be his duty to shew, when the question was the disfranchisement of so many ancient portions of the Constitution; and yet, now the right hon. Baronet stated, that he could not consent to the enfranchisement of these London districts. He should like to know, since the right hon. Baronet objected to this proceeding, what his own plan of enfranchisement was? He should like to know why, if Birmingham, Leeds, and Manchester were to have Representatives, the districts of the metropolis were to be excluded? To this query he had heard no answer, for he could not admit as one, the point that had been laboured to show that these suburbs were already represented through the metropolis; for the fact was, that these districts had as little to do with London as Edinburgh with Sheffield, or Sheffield with Cambridge. If the rates of the houses in the different districts were attended to, that one point alone would be sufficient to make out his argument. In the Tower Hamlets the majority of houses was rated above 20*l.* a-year; in the Finsbury district the Majority was rated above 30*l.* and in the district of Mary-la-bonne above 40*l.* He therefore thought, that the Representatives of these respective districts would represent very different interests, and afford what might be termed an agreeable variety in the way of Members. Two points that the right hon. Baronet appeared to have relied upon chiefly for his opposition were, that these home districts (as they might be called) would have such early intelligence of the proceedings of Parliament, that it would enable them to exercise a control over it, and that their physical force was so great, that they might have it in their power to awe the proceedings of Parliament. Now, with respect to their physical force, it was to be observed, that that would neither be augmented nor diminished by giving them Representatives; and, in his opinion, so far from increasing the danger, he believed that their having Representatives would diminish it; because it would be affording a legal outlet for the ebullition of their feelings. With respect to their means of speedy intelligence, he admitted it; but, if he understood the Bill aright, that was one of its

objects; for, Ministers having perceived that the wealth and power of the country were about to demand their rights, this measure was proposed in order that those rights might be legally bestowed upon them. He must, therefore, confess, that when he had listened to the arguments of the right hon. Baronet, it appeared to him as if he (Sir R. Peel) had been saying, because London is the greatest city in the world—because it is the mart of all wealth—because it is the centre of all knowledge—because it is the hive of industry—for these reasons he would exclude it from the right of having Representatives. For his own part, he believed that the time was now come when they might attach to the Constitution the whole of the middle classes of England, who, though they loathed corruption, and writhed under oppression, felt as much interest in upholding the Constitution as the highest nobleman in the country. But if they were to withhold this privilege from the metropolitan districts, while they gave it to other parts of the country, he must confess, that he should think that the Bill, instead of ending the dispute, would only be the beginning of it; and he would never consent to do that which, in his opinion, would lead to the immediate engendering of ill-will.

Mr. *Praed* said, he had attempted to address the Committee when the hon. member for Westminster sat down, but he was glad that he had not been allowed an opportunity of doing so. The hon. member for Westminster had indulged in remarks which might at the moment have drawn from him a reply that, upon consideration, he might have regretted. The remarks and the taunts of the hon. member for Westminster, he now felt to be unworthy of further observation, and he would at once proceed to the question properly before the Committee. The question now to be decided was, not as the hon. member for Westminster appeared to think, a stale and often-argued question, but it was a new one, and one of vast importance. He certainly thought that, looking at the present circumstances of the country, some enfranchisement was necessary; but, at the same time, those were fully to be excused who formerly, and under different circumstances, contended against that question altogether, and now admitted its necessity. But the question now to be considered was, not the abstract one as to

whether any new and large and important places of commerce and wealth should be permitted to send Representatives to that House, but whether districts of the metropolis, which had never before entered even the dreams of the most fanciful of Reformers, should be intrusted with that privilege. That was the question now to be considered; and upon that he should found the few observations he should intrude on the Committee. If the metropolis was not to be taken as one great city, it must be evident that a different principle was acted upon with respect to it, to that upon which the Bill proceeded with reference to all other cities and large towns. This weakness, this defect, in the details of the Bill, had been felt by his hon. friend, and therefore his hon. friend, endeavouring to avoid it, had contended, that the metropolis was not one great city, but four great cities. Against this division of the metropolis he protested. Nothing had been advanced which at all justified it, and indeed it appeared to him to be impossible to justify it. No distinction of interests had been shown, or even asserted to exist. The metropolis was one continuous mass of buildings, and it was an incontrovertible fact, that the buildings in the extreme parts of it were frequently to be found in the occupation of those who had mercantile establishments in the city. Surely, then, it was an error, and a palpable one, to say, that the metropolis was four cities, and not one city. Another argument which he must notice was one that had been frequently touched upon, and was this night again renewed. It was contended, that the agricultural and the manufacturing population ought to be subjected to the same rule—that was, that a manufacturing and an agricultural population, of an equal amount in number, ought to have an equal number of Representatives—to that he objected. An agricultural population was scattered, and so circumstanced as to be unable to combine as a manufacturing population might, and naturally would. The agricultural population was spread over the country, while the manufacturing population was always in garrison, as it were, and ready for attack. It had been asserted by his hon. friend, that the arguments against dividing the metropolis into districts, and giving those districts Members, were founded in a fallacy, and that that fallacy was the assumption, that the class of persons

who were to have the right of voting were actuated by a mischievous spirit. He assumed no such thing; but this he did assume, and for this he did contend—that the class of persons to whom the right of voting was proposed to be given, would not govern themselves so well as they would be governed by Representatives. Under the Bill, the districts of Finsbury, the Tower Hamlets, Lambeth, and Greenwich, would not be governed by Representatives, but they would be self-governed. The voice of the electors would not only be paramount in the election, but it would be paramount also upon every question that was agitated, and the voice of the Member would be but an echo of the voice of the multitude. Upon the point of the unconstitutional nature of the entire subjection and control of the Representative by the elector, the argument of the right hon. Baronet (Sir Robert Peel) had been so conclusive and so satisfactory, that he would not touch it further than to mention one circumstance which had hitherto escaped notice. The fact of the Parliament being held on a particular spot gave an influence to that spot, independent altogether of its possessing Representatives. If the members for Middlesex were dismissed, and the members for Westminster cashiered, and the members for the city of London cast adrift, still the interests of the metropolis would, if necessary, be protected by that House. This must be felt by every hon. Member. If the members for Dublin, or for any other city or town, were to act prejudicially to the interests of the metropolis, they would be called to an account by their constituents, because, by injuring the metropolis, they would have injured the interests of their constituents. Although he had admitted Manchester, Leeds, and Birmingham to the franchise, for these reasons he should resist the admission of the districts of the metropolis. If he were told that the capital ought to possess peculiar advantages, he would remind the Committee of the language used with respect to Chelmsford, which was the capital of a county, and of which the Attorney General said, it was not the worse for not being represented. For his own part, he had never advanced different opinions to those which he now professed, but those who had changed their opinions were fully justified in their conduct. The country had been excited by the conduct of the Government, a cry of Reform had

gone abroad, and that cry ought to be met by a spirit of reconciliation, but not of senseless surrender. He could never agree with those who exclaimed—

“Much has been done, much more remains to do; The City burns, why not the Palace too?”

The question under consideration was a most important one, and among the most objectionable that would be mooted by the Ministerial plan of Reform. He disliked it greatly from its inherent defects, but he disliked it more because it was an imitation of another country. If, however, the proposition should be carried, and experience should prove, that the Representatives of divided London did not act under the influence he anticipated they would—if it should prove also, that the virulence of the journals was softened rather than excited by this increase of their means to affect the decisions of that House, then he should rejoice in his error; but until that proof was given him, he should persevere, urging as his excuse the language of the poet—

“Forgive my warmth upon a theme like this—
I cannot bear a French metropolis.”

Lord John Russell did not propose to enter into the subject which had been so fully discussed, but simply to explain what he had said with respect to the difficulty of a Member procuring a seat under peculiar circumstances. What he had said was, that if this Bill passed, it might be a question whether it might not be advisable that the Act of Anne, which obliged a Minister to vacate his seat on accepting office, should be altered. As to the question before the Committee, he had heard no one good argument or reason why these districts should not be allowed to send Members to Parliament. The contributions of these districts to the exigencies of the state, their wealth, and population, fully entitled them to the privilege.

Mr. Hunt said, that he rose to answer the question of the hon. member for Thetford, as to how a newly-appointed Minister was to obtain a seat in the House? There would be no difficulty in the case. There were forty boroughs in schedule B; some of them with not more than 300 voters. The application of 5,000*l.* or 6,000*l.* to any one of them would manage the business. He wished to allay the nervous feelings of hon. Members on another point: that was, the meeting at Copenhagen House, which was, to prepare a petition for the repeal of the Corn-laws, and

grew out of another meeting, held to celebrate the French revolution of the “three glorious days,” and probably consisted, at most, of 2,000 or 3,000 persons, though this had been magnified into a Spa-fields meeting of 25,000 men. He gave this explanation to prevent any further alarm on the subject.

Mr. Croker rose amidst cries of “Question,” which were continued for some time. The impatience of hon. Members, even thus exhibited, should not excite him to say one syllable more than he had intended to say at the moment of his rising [*a laugh*]. He need hardly add, that they would not induce him to say less. He merely wished to state a fact or two supplementary to the two able speeches which had been delivered by the hon. member for Westminster, and the hon. member for Calne. The hon. member for Westminster had forgotten one part of the speech he evidently intended to make. That hon. Member said, “I don’t exactly approve of all the distinctions made, and I will come to that point *presently*.” That “*presently*,” however, never came, and he (Mr. Croker) rose to supply the deficiency. He knew, that hon. Members not in the habit of frequently addressing the House, must necessarily commit such omissions, especially when they entered upon so comprehensive a view as that attempted by the hon. member for Westminster. The other hon. Gentleman, the hon. member for Calne, had missed, in a similar manner, a part of his speech. That hon. Member had talked of the North, the South, and the West districts of London, and their population, their wealth, and their importance, but he had said nothing of the East—of Greenwich, the very subject of debate. Upon the district, now properly under consideration, the hon. Member had not said one syllable. It was to supply this deficiency in one Member, and the ‘*presently*’ of the other, indeed to finish the matter by a sort of postscript to the speeches of the two hon. Members, that he now intruded upon the time of the Committee. The hon. member for Calne had passed a high eulogium on the city of Westminster. He had characterised it as the seat of arts, and as a magnificent and imperial metropolis; but having thus exalted Westminster, he ought to have explained to the Committee, why it should raise the paltry town of Greenwich to the same height in the constitutional scale as that

magnificent and imperial city? Such was the fact, for imperial Westminster was to return but two Members, and suburban Greenwich was to do the same. Greenwich was, as even the keenest devourers of white bait must acknowledge, no rival of the glories, or dignity, or wealth, or importance, or population of Westminster; and yet the Bill, which was to be satisfactory to all ranks and parties, and an arrangement upon intelligent and impartial principles, was to put the city and suburb on a par. If it had been proposed to give one Member to Greenwich, such a proposition, however absurd in reference to the real principles of Representation, might in some measure have been defended upon the principles of the Bill; but to the distinction of a double Representation now claimed for Greenwich, that place had as little pretensions under the principles of the Bill, as under those of common sense. Its population did not amount to one-fourth of the amount of the population of Westminster, and it had not a hundredth part of the wealth or importance of that city; but it was to have an equality of Representation. Very justly did the hon. member for Westminster say, that no persons would lose more by the Bill than the members for Westminster would. He (Mr. Croker) had loudly cheered the hon. Member when he made that statement, and he now repeated his approval of it. The hon. Gentleman who took such pride in being the member for magnificent and imperial Westminster, would find himself when this Bill had passed, no better than some dealer in old clothes, or low attorney, or under-strapper of the Ministry; who might be chosen by the intelligent, refined and independent, 10*l.* lodgers of Woolwich, Greenwich, and Deptford. He (Mr. Croker) well knew, that the Government had been very reluctant to propose this absurdity—they felt that Greenwich and Deptford burlesqued Representation, and would have avoided it, if they could; but they had adopted a system founded on population, and by it they were reluctantly forced to include Greenwich. But then, why did they not extend the same principle to other places? Why was Clitheroe, and its parish of Whalley, disfranchised? Was it because their population was too great, more than double that of Greenwich, Deptford, and Woolwich? If the amount of population was to be the leading rules of the Bill, then London

would be entitled to one-tenth of the whole Representation, for it possessed, as nearly as the calculation could be made, one-tenth of the population, and more than one-tenth of the wealth of the whole country. If, then, those rules were to be acted upon, London ought to return fifty Members to that House; but if they were to be discarded, and the safer guides of common sense and practical experience adopted, then Greenwich had no just claim for Representatives, and as little deserved to be in schedule C, as Appleby in schedule A, or Clitheroe in schedule B.

The gallery was then cleared, and the House divided, when there appeared: Ayes 295; Noes 188—Majority 107.

List of the AYES.

ENGLISH.

Adeane, H. J. Colborne, N. W. R.
 Althorp, Viscount Cradock, Col. S.
 Anson, Sir G. Creevey, T.
 Anson, Hon. G. Curry, J.
 Atherley, A. Curteis, H. B.
 Baillie, J. E. Davies, Col. T. H. H.
 Bainbridge, E. T. Denison, J. E.
 Baring, Sir T. Denison, W. J.
 Baring, F. T. Denman, Sir T.
 Barnett, C. J. Duncombe, T. S.
 Bayntun, Capt. S. A. Dundas, C.
 Benett, J. Dundas, Hon. T.
 Bentinck, Lord G. Dundas, Hon. Sir R. L.
 Berkeley, Captain Dundas, Hon. J. C.
 Bernal, R. Easthope, J.
 Blake, Sir F. Ebrington, Viscount
 Blamire, W. Ellice, E.
 Blunt, Sir C. Ellis, W.
 Bouverie, Hon. D. P. Etwall, R.
 Bouverie, P. Evans, Col. De Lacy
 Brayan, T. Evans, W. B.
 Briscoe, J. I. Evans, W.
 Brougham, W. Ewart, W.
 Buck, L. W. Fergusson, R.
 Buller, J. W. Fergusson, Sir R. C.
 Bulwer, E. E. L. Fitzroy, Lt.-Col. C. A.
 Bulwer, H. L. Foley, J. H. H.
 Burdett, Sir F. Foley, Hon. T. H.
 Burrell, Sir C. Foulkes, Sir W.
 Burton, H. Fox, Lieut.-Col.
 Buxton, T. F. Gisborne, T.
 Byng, G. Gordon, R.
 Byng, G. S. Graham, Rt. Hn. Sir J.
 Calcraft, G. H. Graham, Sir S.
 Calvert, C. Grant, Right Hon. R.
 Calvert, N. Greene, T. G.
 Calley, T. Guise, Sir E. B.
 Carter, J. B. Gurney, H.
 Cavendish, C. C. Handley, W. F.
 Cavendish, H. F. C. Harcourt, G. V.
 Chaytor, W. R. C. Harvey, D. W.
 Chichester, J. B. P. Hawkins, J.
 Clifford, Sir A. Heathcote, G. J.
 Clive, E. B. Heneage, G. F.
 Cockerell, Sir C. Heywood, B.

Hobhouse, J. C. Penlease, J. S.
 Hodges, T. L. Penrhyn, E.
 Hodgson, J. Pepys, C.
 Horne, Sir W. Petit, Louis H.
 Hoskins, K. Phillips, C. M.
 Howard, P. H. Phillips, G. R.
 Howard, H. Polhill, F.
 Howick, Viscount Ponsonby, Hon. W.
 Hudson, T. Powell, W. E.
 Hughes, W. H. Poyntz, W. S.
 Hughes, Colonel Price, Sir R.
 Hughes, W. L. Protheroe, E.
 Hunt, H. Ramsbottom, J.
 Ingilby, Sir W. Ramsden, J. C.
 James, W. Rickford, W.
 Jerminham, H. V. Rider, T.
 Kemp, T. R. Roberts, A. W.
 King, E. B. Rooper, J. B.
 Knight, H. G. Rumbold, C. E.
 Knight, R. Russell, R. G.
 Labouchere, H. Russell, Lord J.
 Langston, J. H. Russell, C.
 Lawley, F. Scott, Sir E. D.
 Lefevre, C. S. Sebright, Sir J.
 Lemon, Sir C. Skipwith, Sir G.
 Lennard, T. B. Slaney, R. A.
 Lennox, Lord W. Smith, J. A.
 Lennox, Lord J. G. Smith, J.
 Lennox, Lord A. Smith, R. V.
 Lester, B. L. Smith, Hon. R.
 Littleton, E. J. Spence, G.
 Lloyd, Sir E. P. Spencer, Hon. Capt.
 Loch, J. Stanhope, Capt. R. H.
 Lopez, Sir R. F. Stanley, J.
 Lumley, J. S. Stanley, Right Hon. E.
 Lushington, Dr. S. Stanley, Lord
 Maberly, Col. W. L. Stephenson, H.
 Maberly, J. Stewart, P. M.
 Macauley, T. B. Strickland, G.
 Macdonald, Sir J. Strutt, E.
 Mackintosh, Sir J. Stuart, Lord P. J.
 Mangles, J. Stuart, Lord D. C.
 Marjoribanks, S. Talbot, C. R. M.
 Marryatt, J. Tavistock, Marquis of
 Marshall, W. Tennyson, C.
 Martin, J. Thicknesse, R.
 Mayhew, W. Thompson, Alderman
 Milbank, M. Thomson, Rt. Hn. C. P.
 Milton, Lord Tomes, J.
 Moreton, Hon. H. Torrens, Col. R.
 Morpeth, Viscount Townshend, Lord C.
 Morrison, J. Troubridge, Sir E. T.
 Mostyn, E. M. L. Tynte, C. K. K.
 Noel, Sir G. N. Tyrell, C.
 North, F. Uxbridge, Earl of
 Norton, C. F. Venables, Ald.
 Nugent, Lord Vernon, Hon. G. J.
 Offley, F. C. Vernon, G. H.
 Ord, W. Villiers, T. H.
 Osborne, Lord F. G. Vincent, Sir F.
 Owen, Sir J. Waithman, Ald.
 Paget, Sir C. Walrond, B.
 Paget, T. Warburton, H.
 Palmer, Gen. C. Warre, J. A.
 Palmer, C. F. Waterpark, Lord
 Palmerston, Lord Wason, W. R.
 Pendarvis, E. W. W. Watson, Hon. R.

Webb, Col. E.	Williamson, Sir H.
Western, C. C.	Willoughby, Sir H.
Weyland, Major R.	Winnington, Sir T.
Whitbread, W. H.	Wood Ald.
Whitmore, W. W.	Wood, J.
Wilbraham, G.	Wood, C.
Wilks, J.	Wrightson, W. B.
Williams, W. A.	Wrottesley, Sir J.
Williams, Sir J. H.	

SCOTCH.

Adam, Admiral C.	Johnstone, J. H.
Agnew, Sir A.	Kennedy, T. F.
Dixon, J.	Loch, J.
Ferguson, R. C.	Mackensie, J. A. S.
Gillon, W. D.	Ross, H.
Grant, Right Hon. C.	Sinclair, G.
Innes, Sir H.	Stewart, Sir M. S.
Jeffrey, Right Hon. F.	Stewart, E.
Johnstone, A.	Traill, G.
Johnstone, J.	

IRISH.

Acheson, Viscount	Lamb, Hon. G.
Barham, J.	Lambert, H.
Belfast, Lord	Lambert, J. S.
Bernard, T.	Leader, N. P.
Bodkin, J. J.	Macnamara, W.
Boyle, Lord	Mullins, F.
Boyle, Hon. J.	Newark, Lord
Brabazon, Viscount	O'Connell, D.
Brougham, J.	O'Connell, M.
Brown, J.	O'Ferrall, R. M.
Browne, D.	O'Grady, Hon. S.
Brownlow, C.	Ossory, Earl of
Burke, Sir J.	Parnell, Rt. Hn. Sir H.
Callaghan, D.	Perrin, L.
Chapman, M. L.	Ponsonby, Hon. G.
Chichester, Col. A.	Power, R.
Coote, Sir C. H.	Rice, Rt. Hon. T. S.
Dawson, A.	Russell, J.
Doyle, Sir J. M.	Ruthven, E. S.
Fitzgibbon, Hon. R.	Sandford, E. A.
French, A.	Sheil, R. L.
Harty, Sir R.	Walker, C. A.
Hort, Sir W.	Westenra, Hon. H.R.
Howard, R.	White, S.
Jephson, C.	Wyse, T.
Knox, Hon. J. H.	
Killeen, Lord	

TELLER.

Duncannon, Viscount

Paired off in favour.

Belgrave, Earl of	Lee, J. L.
Blount, E.	Maule, Hon. W.
Campbell, W. F.	Musgrave, Sir R.
Cavendish, Lord G.	O'Neil, Hon. J. B. R.
Coke, T. W.	Oxmantown, Lord
Foster, J.	Newport, Sir J.
Godson, R.	Portman, E. B.
Grosvenor, Hon. R.	Robinson, Sir G.
Gurney, R. H.	Robinson, G. R.
Heathcote, Sir G.	Russell, Lord W.
Hill, Lord A.	Smith, G. R.
Hill, Lord G. A.	Smith, M. T.
Hume, J.	Thompson, P. B.
Hutchinson, J. H.	Throckmorton, R.
King, Hon. R.	Vere, J.

The Chairman then put the question, "that Sheffield, including the townships of Sheffield, Ecclesall, Brightside, Nether Hallam, Upper Hallam, and Attercliffe, Yorkshire, and the words 'the Master Cutler,' as returning officer, stand part of schedule C."—Agreed to.

The next question was, "that Sunderland, including the parishes of Sunderland, Bishopwearmouth, and Monkwearmouth, Durham, stand part of schedule C."

Mr. Goulburn said, it ought to be clearly explained who was the returning officer. Question agreed to.

The Chairman put the question, "That Devonport, including the township of Devonport, parish of Stoke Damerell, and township of Stonehouse, Devonshire, stand part of schedule C."

Mr. Croker said, he had some observations to make on this question, which might lead to some discussion; but he would either proceed now, though it was late, or postpone what he had to say till to-morrow, as might be most agreeable to the House.

Lord J. Russell thought, the right hon. Gentleman had better go on till the usual hour, as had been previously arranged.

Mr. Croker said, he did not expect this particular question to come on that night, and therefore he had not come prepared with the extracts he should wish to quote. If, then, he committed any error, he trusted the noble Lord would set him right. What he intended to contend for was this, that Portsmouth, Portsea, and Gosport, were as much entitled to return four Members, as Plymouth, Devonport, and Stonehouse. The town of Portsmouth was a very considerable one, and immediately adjoining it the town of Portsea had sprung up. Across the harbour was the town of Gosport. That town was situated in the parish of Alverstoke, and contained the Victualling Yard, Haslar Hospital, and other establishments immediately connected with Portsmouth, and it therefore ought to be considered, for the purposes of this Bill, as a part of Portsmouth. If that were the case, it would be found, that the amount of the population of Portsmouth and its suburbs, was nearly the same as that of Plymouth and its suburbs. Now the Bill of the noble Lord gave Plymouth four Members, two to Plymouth proper, and two to Devonport, but only

two Members to Portsmouth, Portsea, and Gosport; the parish of Alverstoke not being included in the Portsmouth calculation, as the parish of Stoke Damerell had been in that of Plymouth. Portsmouth being a walled town, it was of course circumscribed, and it had not a population of more than 8,000 or 9,000. But he saw no reason why Portsmouth and Portsea should have only two Members, while Plymouth and Devonport were to have four. He should like to know upon what principle this was done. The towns of Portsmouth, Portsea, and Gosport, with the parish of Alverstoke, were in all circumstances, exactly like the towns of Plymouth, Devonport, and Stonehouse; with the parish of Stoke Damerell, and he wished to be informed, upon what principle, they had been so differently treated?

Lord *J. Russell* said, the population might be nearly the same, but Portsea and Portsmouth were so closely connected as to be one town, while Devonport was quite a separate and distinct town from Plymouth.

Lord *Althorp* said, his noble friend had omitted to state, that the number of 10*l*. householders was much greater in Plymouth, than in Portsmouth.

Mr. *Croker* did not admit either of the facts stated by the two noble Lords; but, even if they had been established, they made no answer to his objection, which was that of two masses of population nearly equal and resident in towns exactly similar in interests and extent, one was to have double the Representation of the other. If, in such a parity of circumstances, either town were to be entitled to a preference, it was surely that which was the more ancient and more extensive seat of our great national power; but under this inconsistent, if not fraudulent Bill, Portsmouth, the greatest of our naval establishments would thus have only two Members, while the smaller, Plymouth, would have four.

Sir *James Macdonald* said, Gosport presented no memorial. The inhabitants infinitely preferred being exempt from the privilege of returning Members. The right hon. Gentleman, who took these towns under his especial care, should have made himself acquainted with their wishes.

Mr. *Croker* said, he must express his surprise at what fell from the hon. Gentleman. He did not pretend to take these towns under his care, but he took the Bill

under his care, as it was the business of every Member of that House to do. He took, under his care, the rights and privileges of the people of England; and would endeavour, as far as his humble efforts could avail to procure them justice, not only without the assistance of, but even against the opinions of their nominal Representative. But he must take the liberty of telling the newly-elected Member for Hampshire—a gentleman very lately, and as he was informed not very extensively, connected with that county—that he (Mr. Croker) might justly feel some peculiar interest for the towns in question. He had been for twenty-two years in official communication with these towns, and must, therefore, be well acquainted with them, and he must be blameably insensible, if he did not feel some interest in what concerned them. The hon. Gentleman said, that the inhabitants of Gosport had presented no memorial. Nay, that “they infinitely preferred not returning Members.” What? they desire to be excluded from this great and transcendent boon? What? they repudiate all the blessings and privileges of Reform? and this avowal was made by a supporter of the Bill! Had any of its antagonists ever said any thing so bitter? But admitting, that these good folks repudiate the Bill, the House must not allow themselves to be influenced by that. Was the hon. Baronet (Sir *J. Macdonald*) influenced by any of the petitions or memorials presented to the House deprecating the disfranchisement of the boroughs in schedules A and B? They were not here to consider what the wishes or opinions of the inhabitants of Gosport might be at present, but what their children or children’s children might think. They were to legislate for posterity, and not merely for the present generation. He knew, that extraordinary pains had been taken to silence and suppress the opinions of those whose fair claims had been neglected or disregarded in the Bill; and then forsooth, they were told, that no memorials had testified the people’s dissatisfaction on such points. But if, as he had said, the positive memorials, the indignant exclamations of those whose rights were spoliated and destroyed, had no effect on the hon. Gentleman opposite, how could they expect that the negative approbation, which, after all, might be a contemptuous silence, was to have such weight in

the other scale. Let the Committee be just, let it act with candour and common sense—if it was to regard the wishes of the parties, let that be done in all cases of disfranchisement, as well as of enfranchisement; but if it was not to regard those personal and local influences; then, let the Committee legislate for posterity, and not betray the future interests of Gosport and Portsea, merely because their present Member chose to abandon them.

Lord Althorp said, the difference in the cases was, that Portsea and Portsmouth were, strictly speaking, only one town; not so Devonport and Plymouth.

Mr. Lennard merely rose to state, that the population of Devonport exceeded that of Portsmouth, and Gosport, by several thousands.

Mr. Goulburn said, when they came to another part of the schedule, he should take an opportunity of asking the noble Lord opposite on what principle he proceeded when he increased the electoral body at Portsmouth, and pursued a different course in other places.

Lord Althorp should be perfectly ready to give the right hon. Gentleman any information at the proper time.

An *Hon. Member* thought the right hon. Gentleman was not aware of the facts of this case. Portsea was a part of the borough of Portsmouth, and a great proportion of the inhabitants of the former place had actually a vote for the latter, without reference to any clause in this Bill.

Question agreed to. House resumed, Committee to sit again the next day.

EXCISE ACTS—DUTY ON SLATES.] Resolution for the Repeal of the Excise Duty on Candles reported.

Mr. Goulbourn begged to ask the hon. Gentleman opposite, whether the duty on slates had been taken into consideration. He had personally suggested, that the duties on slates and tiles ought to be placed on an equal footing.

Mr. Spring Rice, in reply to the hon. Gentleman, begged to state, that the subject was still under discussion. He was aware, that complaints had been made from several places, that the duties were unequal, and it had been referred to the proper quarters to ascertain the exact amount of revenue, that would be lost by the removal of the tile duties. There was every wish to afford relief.

Mr. Goulburn hoped his right hon. friend would remember, that the tile-trade had been materially injured by the partial removal of the slate duty. He could assure the hon. Gentleman, that in the neighbourhood in which he lived, slate could be had cheaper after land-carriage of thirteen miles, than tiles made on the spot.

HOUSE OF LORDS,
Thursday, August 4, 1831.

MINUTES.] Coal Duties Bill, read a second time.

AFFIDAVITS' IN CHANCERY SUITS.] The Lord Chancellor moved the second reading of the Chancery Affidavits' Bill. When the Bill had been read a second time, he should move the suspension of the Standing Orders, in order to allow it to pass through the rest of its stages that day.

The Earl of Eldon opposed the Bill, on the ground that it was totally unnecessary, because the Lord Chancellor had the power, of his own authority, to have affidavits read either before or after Seals, or at any time that he chose, from the first day of January to the last day of December. He had power, even in the time usually called the long vacation, to proceed with causes in any stage, and to hear affidavits read, or carry on any proceeding touching the suit, and to call counsel and solicitors before him to proceed with the business of the Court. He had sat a long time in the Court of Chancery, and never had the least doubt as to the Lord Chancellor's powers in this respect. There was, therefore, in his opinion, no occasion whatever for passing this Bill; and as there was no occasion for it, that was a sufficient objection to its passing. He had sometimes sat from six o'clock in the morning till eleven at night; and, at all times of the day, and at all times of the year, he had permitted applications to be made on important matters requiring despatch, and had heard affidavits read, without any doubt of his power to do so, in case he had thought it proper. The Courts of Chancery were open during the whole year, and their business might at any time be transacted, without regard to its being before or after Seals, which were appointed merely as matters of convenience. He should be sorry, therefore, that a Bill should be passed to enable the Lord Chancellor to do that which he himself had ample jurisdiction to do of his own authority.

The *Lord Chancellor* need scarcely say, how highly gratifying to him it was, to hear it laid down as an undeniable proposition, by the highest living authority, that it was competent to the *Lord Chancellor* to hear affidavits read, and to proceed with the business of his Court at any time of the year, without any other regard to times or seasons than that which might arise from the convenience of the suitors and the Court, and the proper despatch of business. But the objection had been taken by parties in Court; and where there was a losing party, and that party was in possession of the Court, it often happened that he was anxious to protract the final decision of the cause, and with that view to take advantage of every real or supposed formality calculated to suit his purpose. A delay of this kind had been attempted the other day, and he had asked the most experienced members of the Bar, whether there was any good and valid objection to the reading of an affidavit after the last Seal? The general opinion was, that it could not be done. He had asked, upon what principle this practice was founded, of not having affidavits read in cases of this kind, after the last Seal; but, as to this, he could get no satisfactory explanation: but it was said, that in practice it had not been done. He then applied to one of the Registrars, a gentleman of great experience, and his observation was, that it never had been done before. He had then consulted another Registrar, also a gentleman of great experience, who said, that it had never been done; but he could give no satisfactory account of any principle, and was rather of opinion that it might be done, although there was no precedent for it. In the absence of precedent, and seeing no principle for his refusal to hear affidavits read, in cases of the nature then before him, he drew up an order, and caused it to be fixed up in proper places, to give notice, that he would hear affidavits read, and proceed with the business. But still parties insisted on the objection, and one of them refused on that ground to appear. Seeing, then, that some doubts were entertained, and that the objection might be taken advantage of in case of prosecution for perjury, he thought the best way would be, to put an end to all doubt by means of an Act of Parliament. He, however, gratefully acknowledged the assistance which he had received from his

noble and learned friend, and as his noble and learned friend, the highest living authority—and a higher there could not be, whether living or dead—was so decidedly of opinion, that a Statute was totally unnecessary, he could have no object in proceeding with his Bill. He took it for granted, upon an authority as high as that of any of the decided cases, that the *Lord Chancellor* had the power which was required, and that, therefore, a Statute was unnecessary. If it was unnecessary, it was, of course, inexpedient. Again thanking his noble and learned friend for the assistance which he had given on the present occasion, he would decline proceeding further with the Bill. He would, with the permission of their Lordships, allow the matter to stand over, that, if any difficulty should hereafter be thrown in the way of the Court, such a measure might, as speedily as possible, be passed into a law.

The *Earl of Eldon* was quite clear as to the authority of the *Lord Chancellor*, and that there was no ground for doubt on the subject; but he begged to disclaim any intention to dictate to the noble Lord on the Woolsack.

The *Lord Chancellor* had not said, that he himself had any doubt on the subject. His opinion certainly was, that he had the authority; but, as others, high in the profession, doubted his authority, he had introduced the Bill, chiefly out of deference to their opinions. He would mention what the real doubt was. There was no doubt as to whether affidavits might be generally read; but the doubt was, whether affidavits could be read in cases of appeal entered after the last Seal after Term. An appeal was entered, and notice of the circumstance was served, and then the question came to be, whether, as the appeal was entered after the last Seal, the affidavit of service could be read? The entry of the appeal after the last Seal, made the difference, as they said; and, although he had himself little or no doubt as to the power of the *Lord Chancellor*, he had introduced the Bill out of deference to the opinions of others of great experience. Now, however, he would not proceed further with the Bill at present; but would still retain it in the House, when it might be proceeded with, in case it should hereafter appear that there were any reasonable grounds of doubt.—Bill read a second time.

DONNA MARIA OF PORTUGAL.] The Marquis of Londonderry had, the other day, asked a question of the noble Earl at the head of his Majesty's Government, relative to the reception at Portsmouth of little Donna Maria; and it was with pain that he felt himself justified in complaining of the want of candour in the noble Earl's answer to that question. He had asked the noble Earl, what orders had been sent to the authorities at Portsmouth, to receive Donna Maria as Queen of Portugal? And the noble Earl had answered, that he did not know what orders had been sent as to her reception; and that he did not know whether any orders at all had been given on the subject; and with that answer he (the Marquis of Londonderry) was bound to be satisfied. But, after having received this answer, he was surprised to see in the Evening Papers, a statement, apparently founded on good authority, that orders had been sent to the proper official persons at Portsmouth, to receive the Emperor Don Pedro, and his daughter, the little Pretender, as he must call her, Donna Maria, with all the honours usually paid to crowned heads; and then there was a detailed account of what these honours were to be. Now he really did think it very extraordinary, that, if the noble Earl was apprised of the intended arrival of the little Pretender, and had made preparations for that arrival, no orders should have been sent respecting her reception, or that, if any orders were sent, they should have been sent without the knowledge of the noble Earl at the head of the Administration. It appeared, then, that the noble Earl was so little in the confidence of some members of his own Cabinet, that they really did not think it worth while to apprise him of what steps they were taking in matters of high importance. They sent the orders, it appeared, without thinking it necessary to consult the noble Earl at all about the matter, so that there was a want of confidence between the noble Earl and some of his colleagues, on other subjects besides the Reform Bill. Since, then, it appeared, that orders had been sent to receive the little Donna Maria, with all the honours usually paid to crowned heads, he wished to know whether the noble Earl had any objection to produce the orders, or to lay copies of them on the Table?

Earl Grey did not know upon what

grounds the noble Marquis imputed to him a want of candour in the answer which he had given to the noble Marquis's question. The noble Marquis had asked, what orders had been sent to the proper authorities at Portsmouth, to receive Donna Maria as Queen of Portugal; and his answer was simply, that he did not know what orders had been given for her reception, or whether any orders at all had been given on the subject. That was the fact. It might be culpable in him to be ignorant of what had been done about the reception of the Emperor Don Pedro, and his daughter, Donna Maria; but, at the same time, when the noble Marquis put the question, he was not aware what orders had been given, or whether any orders had been given on the subject. In consequence of the noble Marquis's question, however, he had made inquiries; and the result was, that he found that no letter, or written direction, had been sent by the Secretary of State on the subject, but that some verbal conference had taken place between the Secretary of State and the Commander-in-chief of the Army, and the First Lord of the Admiralty, relative to the reception of the Emperor, Don Pedro, and his daughter. But the orders went to her reception with the honours generally paid to royalty, without the least reference to her title as Queen of Portugal. The honours directed to be paid, were merely the honours usually accorded to the royal station, without any political recognition or reference to the title of Donna Maria, as Queen of Portugal. The noble Marquis had thought proper to designate her as a Pretender. But the noble Marquis could scarcely have forgotten, that Donna Maria had been received and recognised by his late Majesty, and by the late Government, as Queen of Portugal, and had been treated as such with royal honours. But her late reception at Portsmouth had nothing to do with her title as Queen of Portugal, but was merely the usual reception afforded to royalty. Notwithstanding, then, the solemn questions and threatening denunciations of the noble Marquis, with regard to this reception, the noble Marquis had only, after all, discovered what was vulgarly called a mare's nest.

The Earl of Aberdeen was glad that his Majesty's Ministers had not given any orders which implied a political recognition of the title of Donna Maria, as

Queen of Portugal; and he agreed with the noble Earl, that the directions given as to the reception, really did not amount to more, than that Donna Maria was to be received with the honours usually, in courtesy, paid to persons holding the royal station. The noble Earl had remarked, that his late Majesty had acknowledged Donna Maria as the heiress of the Portuguese Crown, and had received her as Queen of Portugal. He did not mean to give any opinion as to the validity of the title of Donna Maria to the Throne of Portugal; but he did say, that the question as to whether her title was valid or not, was one beyond our jurisdiction. It was a question for the Portuguese, and for them only, to decide. If we were to interfere, and take upon ourselves to say, that Donna Maria was Queen of Portugal, we might just as well take upon ourselves to say, that Henry the 5th should be king of France.

The Marquis of *Londonderry* was much gratified to find, that the orders given as to the reception of Donna Maria, did not imply any acquiescence in her assumed title of Queen of Portugal. As to what the noble Earl had said, relative to the recognition of Donna Maria as Queen of Portugal, by his late Majesty, it ought to be kept in view, that three years had elapsed since that time, and that circumstances were now entirely different from what they were then. The Portuguese, with whom alone the matter rested, had chosen their own Sovereign. He did not mean to say anything as to the character of that Sovereign. On that point there was much difference of opinion. But it was sufficient that he was recognised by the Portuguese nation as their Sovereign, and received by them as such, with as much obedience, affection, and attachment, as ever sovereign was received in any country. It was impossible, then, that a Ministry which laid so much weight on the principle of non-interference, could attempt to set up a sovereign of Portugal, contrary to the one whom the Portuguese had chosen. The noble Earl (Earl Grey) had, some time ago, made a speech in favour of the principle of non-interference, to which speech he would have the opportunity of adverting in a few days; but, in the mean time, he was glad, that he had forced the noble Earl to give a satisfactory answer to his question.

[GROWTH OF TOBACCO (IRELAND) PROHIBITION BILL.] Lord *Auckland* moved, that their Lordships should resolve themselves into a Committee on the Bill prohibiting the growth of Tobacco in Ireland. The object of it was, to extend the prohibition which already existed in England and Scotland, as to the growth of Tobacco, to Ireland. It appeared, from evidence given before a Committee of the other House of Parliament, that it could not be grown with advantage there, unless the growth were protected as it had hitherto been, by a duty of 1,200 per cent on the cost price of foreign Tobacco, the duty being 3s. per pound. The permission to grow tobacco in Ireland would be unjust to other parts of the empire in which it was prohibited, while, if the duty on foreign tobacco was diminished, it would come into competition with tobacco of Irish growth. He, therefore, trusted their Lordships would allow the Bill to proceed, as all the persons whose opinions were embodied in the Report of the Committee, were unanimously of opinion, that the prohibition would be beneficial to Ireland; and if their Lordships required any further inducement, he could assure them, that the measure, with a view to the revenue, was highly expedient, if not necessary.

Lord *Teynham* apprehended, the last sentence of the noble Lord who preceded him, was the cause of the Bill being brought forward. The revenue, it was expected, would be increased by the prohibition to grow tobacco in Ireland. He wished the question to be looked at under a more enlarged view. Noble Lords were, no doubt, aware, that beet root had been extensively cultivated in France in order to obtain sugar; he believed a similar process might be advantageously adopted in Ireland, but then the cry would arise, "the revenue will suffer from the import and export of sugar being lost." He considered this idea was important to all persons interested in the welfare of Ireland, as he most sincerely was. Unless the welfare of the country was preferred to the revenue laws, he was persuaded, that Ireland would never be prosperous or contented.

The Earl of *Wicklow* thought, that the Bill was contrary to the principles of free trade, on which the Ministers professed to act. The measures for promoting the cultivation of tobacco in Ireland, was brought forward by Lord North, for the encourage-

ment of the agriculturists, and, therefore, they had a right to a full explanation of the causes why the growth should now be prohibited. The noble Lord, however, had confined his remarks to the question of revenue; but, under that view, he should have shown, that it was impossible to collect a tax on tobacco grown in Ireland. He could not suppose, that any greater difficulty would exist, than in collecting a revenue from hops or malt—on this subject he entertained strong feelings, because he lived in a part of Ireland, in which that cultivation had prevailed; he had lately, by way of experiment, put three acres under Tobacco, and the experiment succeeded beyond his expectation. He found, that in cultivating this article, he could give a great deal of employment to the poor, and make a reasonable profit.

The Marquis of *Lansdown* observed, that, undoubtedly, this was a question of revenue, but from all the evidence given, it appeared that the growth of tobacco in Ireland could not be carried on in competition with other countries, without a bounty of 1,200*l.* per cent. At present, the cultivation was confined to two counties, and unless they were prepared to grant the same permission to England, the culture of tobacco must be stopped in Ireland, or the revenue would suffer materially. The permission to grow tobacco in Ireland was granted by Lord North during the American War, not for the sake of Ireland, but out of hostility to Virginia. It was now found, however, that the extension of its cultivation in Ireland would be very injurious to the revenue, without being of any thing like corresponding advantage to Ireland, and it would be better to prohibit its growth *in limine*. A culture which could not be supported without such an enormous bounty, was clearly contrary to the principle of free trade.

The Earl of *Wicklow* must beg to correct the noble Marquis on the subject of Lord North's Bill, which was introduced in 1778, for the express purpose of ameliorating the condition of the Irish people. He would further wish to call the attention of hon. Ministers to the Excise Laws, by the operation of which, great disadvantages were thrown on tobacco grown in Ireland.

Lord *Farnham* was sorry, that the first Act brought forward by the present Secretary for Ireland should be one of prohibition. He did not mean to say, that the provision made by the Bill was a bad one,

but it ought to have been accompanied by other enactments, favourable to Ireland. Until that question of paramount importance, now before the other House, came up to their Lordships, they could not, perhaps, be better employed, than in considering what penal Statutes could be removed, to better the condition of that country.

Lord *Auckland* begged to assure noble Lords, this measure was not brought forward as an act of severity to Ireland, but was simply an act of finance, which had long been under consideration, and which had met with the concurrence of all parties in that country. The quantity of land occupied at present by the growth of tobacco, did not exceed 600 or 700 acres, but if the growth was extended to the three kingdoms, the land most likely to be employed in its cultivation would not exceed 5,000 or 6,000 acres, the produce of which could not be expected to amount to 350,000*l.*

The Bill went through a Committee—their Lordships resumed.

INDICTMENT OF MR. O'CONNELL.] The Earl of *Eldon* rose to move, pursuant to notice, "That an humble Address be presented to his Majesty, praying that his Majesty would be graciously pleased to lay on the Table, a copy of the Indictment lately preferred in the Court of King's Bench in Ireland, against Daniel O'Connell, and others, on which Indictment the accused had been convicted." He begged leave distinctly to state, that, in making this Motion, he did not mean to cast the slightest imputation on the conduct of the Irish Law Officers. He could say from his own observation, that the Irish Bar was eminent for ability, and that the Irish Law Officers generally did their duty well. His Motion had regard, not to the past, but to the future, and his purpose was, to bring in a bill, providing that when a temporary law was enacted, any prosecution commenced while the law was in force should not be abated by the expiration of the law, but should be carried on to its full termination, in the same manner as if the law had still remained in force. It certainly was not a suitable state of things, that persons most properly prosecuted and convicted under such temporary Act, should be allowed to escape punishment, merely owing to the expiration of the Act before the punishment could be inflicted. In the indictment in question,

counts might have been inserted, as he conceived, on the Common Law; but, however, his only object at present was, to lay the foundation for a bill to the effect which he had stated. He was not aware that there was any objection to the Motion.—Motion agreed to.

HOUSE OF COMMONS,

Thursday, August 4, 1831.

MINUTES.] The Report of the Committee on the Petition against the late return at the Coleraine Election was presented. It declared, that Sir John W. H. Brydges had been unduly elected for that Borough; that **WILLIAM TAYLOR COPELAND, Esq.**, was, therefore, the sitting Member; and that the Petition of the said **WILLIAM TAYLOR COPELAND**, was not frivolous nor vexatious.—Returns amended accordingly. **MR. BARING WALL** took his seat as Member for Weymouth and Melcombe Regis.—The report of the Committee on the King's Message, relative to the allowance to the Princess Victoria, was brought up.—The Resolution for granting 10,000*l.* per annum to the Princess was agreed to, and a Bill for that purpose ordered to be brought in.

Bills brought in. By **MR. SPRING RICE**, to equalize the Duties on Wine, and to defray the Charges of Disembodied Militia.

Returns ordered. On the Motion of **MR. D. W. HARVEY**, of the quantity of Land, number of Houses, nature of the tenure, and amount of Rent; Money in the Funds, on Mortgage, or other securities; unimprovable Rents, and other charges, distinguishing their amounts; Ecclesiastical presentations and Scholarships; deductions for Land Tax, Parochial Disbursements, and the number of Endowed Schools, arranged under the head of Counties, with all other particulars, so far as they can be collected, of the Charitable Institutions:—On the Motion of **LORD GRANVILLE SOMERSET**, an account of the number of Houses in several towns, specified in schedule F of the Reform Bill, distinguishing the Rates as assessed to the inhabited House Duty; a similar return for the towns of Swansea, Loughon, Neath, Aberavon, and Ken Fig, Abergavenny, Monmouth, Chepstow, and Usk, distinguishing the different Boroughs and Townships; also, an account of the Assessed Taxes paid for each of the towns, in the county of Monmouth, as above, during the last three years:—On the Motion of **MR. PROTHEROE**, of the amount of British, Colonial, and Foreign Spirits, which paid Duty for home consumption, from 1821 to 1830, inclusive, and of the quantities of the same, used in the Army and Navy, which paid no Duty:—On the Motion of **MR. ATTWOOD**, the quantities and descriptions of Wines upon which any Duties, in addition to those imposed by Law, had been demanded or received, from the 20th of July last to the present time, and the amount of Duties so demanded or received.

Petitions presented. By **SIR JAMES WILLIAMS**, from Owners and Occupiers of Land, Hundred of Derliss, Carmarthen, praying that Land-owners may be placed on the same footing as 10*l.* Householders, with regard to returning Members to Parliament. By **MR. BUCK**, from the Free-men of Exeter, praying they may not be deprived of their privileges of returning Members; and from the Corporation and Inhabitants of the same place, for an amelioration of the Criminal Laws. By **MR. WILBRAHAM**, from Cotton Manufacturers of Disley, in favour of the Cotton Factories Apprentices Bill; and from the Magistrates, Clergy, and others, of Stockport, for the amendment of the Beer Act. By **MR. PROTHEROE**, from the Roman Catholic Prelate and Clergy, of the district of Galway, and the Protestant Freeman and Inhabitants of St. Nicholas, Galway, for equalizing Civil Rights; and from the Roman Catholic Inhabitants of Rosscarbery, and Kilkerranmore, against any further Grants to the Kildare Street Society. By **MR. SPENCER**, from the Attornies of Berwickshire, for Repeal

of Stamp Duties on Attornies Certificates; and from **MR. DUNCOMBE**, from Inhabitants of Llanerchymedd, to return a Member in conjunction with Boroughs in Anglesea.

PROGRESS OF THE REFORM BILL.] **Mr. Gillon** presented a Petition from the Provost, Magistrates, and Town Council of the royal burgh of Lialithgow, complaining of the delay in passing the Reform Bill, and praying, that its progress through the House of Commons might be accelerated by every means consistent with the privileges of Parliament, and the spirit of the Constitution. The hon. Member entirely concurred in the prayer of the petition, and he must say, that the indignation of the north would be aroused if further time were wasted in frivolous debates and factious opposition.

Mr. John H. Johnstone said, any Gentleman who had watched the progress of the Bill, must be satisfied, that unnecessary delays were interposed, and this had given great cause of displeasure to the country; he therefore begged to express his cordial concurrence with the prayer of the petition.

Mr. C. W. Wynn said, that no doubt the petitioners were disinterested parties, in offering any opinion connected with the progress of the English Reform Bill; at the same time he thought it strange that they should set themselves up as the judges of the exact quantum of time which should be devoted to ascertain whether an English borough should be disfranchised, or a populous English place enfranchised. He had a great respect for the Provost and Council of Linlithgow, but he could not conceive that they were likely to be the best judges of what were the proper places in England to send Members to Parliament, and, of course, of the arguments pro and con. Would they have only one question put on the whole Bill? What would be thought of the trial of sixty persons, where it should be insisted that the verdict should pronounce at once upon the guilt or innocence of the whole, without any distinction?

Mr. O'Connell said, the right hon. Gentleman had made out no case to show that the petitioners had not a right to interfere on this occasion. The nominees of Lords, and other borough proprietors, had legislated for the people of Scotland, and they were now paying them off for it. The simile of the right hon. Gentleman (**Mr. C. W. Wynn**), as to the sixty criminals, was not very happy. In one respect it was correct, as these bo-

roughs were charged with being at the disposal of boroughmongering Lords, and others, who put in their own nominees, without any reference to the opinions of the supposed electors. It was true there were sixty criminals charged, but no further was the metaphor correct, for who ever heard of sixty criminals being allowed to vote upon the charge against them? Let the accused parties, the nominees, leave the House, or go into the dock below the bar, until their case was decided, and then there would be less delay and less ground of complaint. He was not surprised at the impatience of the public on this subject. Was it not a fact, that there were vexatious delays? He had heard himself one hon. Member deliver the same speech fourteen times, and not only in the same words, but with the same fisticuffs on the box before him. They had entered into the Committee on the 4th of July, the anniversary of the declaration of American independence, and they had now, on the 4th of August, got no further than the third schedule of the Bill. He could have wished, that it were completed on the 10th of August, which was the anniversary of another event; but if they were to go on with such arguments, or rather such no-arguments, as had been heard on this subject, they might then get through somewhere about February next.

Mr. Robert A. Dundas was well acquainted with the opinions of the people of Scotland on this subject, and he was sure they would not think well of the Members at that (the Opposition) side of the House, if they allowed a measure of this importance to pass without a minute examination of all its details. As to the remark of the hon. and learned member for Kerry, about the no-arguments of Members opposed to the Bill, he would tell the hon. and learned Member, that he would gain more for the Bill, if he could induce hon. Members on the other side to answer those which had been urged, the no-answer to which would not fail to make a due impression on the thinking portion of the country.

Lord Stanley would not have taken any part in this discussion, but for the observation of the right hon. Gentleman (Mr. C. W. Wynn), who made a demarcation of the line of duty of parties addressing the House, and who seemed to think it presumption in the inhabitants of a Scotch borough to interfere with the mode of

disposing of an English borough. He considered it the right and the duty of every Member, no matter what place he Represented, to state the opinions of his constituents as to any measure, whether English, Scotch, or Irish; and he owned he was surprised at such a remark from one who was so ready to come forward in support of the forms of that House. The petitioners stated their opinion very respectfully as to the delay; and in this they only partook of a feeling very general in the country—that much unnecessary delay had taken place. In this he believed many of the opponents as well as supporters of the Bill concurred. They would be glad to see it brought to a conclusion. The petitioners only stated their opinion, that the delay would be dangerous to the peace of the country, and they therefore prayed, that it might be carried through with as little delay as might be consistent with the forms of the House. Surely in this there was nothing so very objectionable as to call for the censure of the right hon. Gentleman.

Sir Richard Vyvyan said, it was satisfactory to think, that this petition was not so objectionable as the one presented by the hon. and learned Member (Mr. O'Connell), from the Birmingham Political Union, a few days ago, and which the learned Gentleman read to the House, though he would not allow any one to reply to him. The hon. and learned Gentleman referred to the anniversary of American Independence, and let drop an allusion to another anniversary—that of the 10th of August. He hoped he should never see the celebration of such an anniversary in this country. Did the hon. and learned Member recollect what followed after the events of the 10th of August, 1793? If he did, he thought the allusion must call up associations not very favourable to the advocates of this Bill. What was the state of the case with respect to this Bill? The House was sitting there as a deliberative body, considering one of the most important changes which could be made in a State—the change of its Constitution—a change so important, that if they took six months to effect it, they would be still liable to the charge of too much haste. A Constitution could not be made in a day, and should not be touched at all without an absolute necessity, and then with the most deliberate caution as to every step they

took. For his own part, he had not taken any active part in the discussions in the Committee, though he reserved to himself the right to do so when he thought proper, but he claimed, on the part of those who had, the fullest power to defend the rights of their constituents. He would not be deterred, and he trusted no Member of that side of the House would allow himself to be deterred, by the opinions of individuals out of the House, or the taunts of any of those within, from taking that course with respect to this measure which their own sense of duty suggested.

Mr. *James Grattan* admitted, to the fullest extent, the right of every Member to defend his own borough; and he regretted that the hon. Baronet was not in his place at the right time to defend that one he Represented; but he did protest against half a dozen Members taking upon themselves the character of champions of all the boroughs, and repeating, night after night—not the same arguments, for arguments he could not call them, but—the same statement of facts, which had been answered over and over again.

Mr. *Cresset Pelham* said, if the hon. member for Wicklow expected, that the debates in future would be more contracted than before, in consequence of these sort of remarks, he would find himself greatly disappointed. The hon. Gentleman might apply his remarks to the past, but they would only influence future debates unfavourably. It was essential to free discussion, that every Member should have an opportunity of calling the attention of the House to any thing likely to improve any measure before them, and that every Member should embrace that opportunity if he thought proper.

Mr. *D. W. Harvey* said, any one who looked at the debates would see, that, night after night, the same statements of facts were made by nearly the same speakers, and that the number of speakers on each side did not exceed half a dozen. When the right hon. Gentleman (Mr. C. W. Wynn) denied the right of the petitioners to interfere in the discussion as to the English Reform Bill, did it not occur to him, that the delay of the English Bill would be greatly injurious to the progress of the Scotch Reform Bill? Surely on that ground the Scotch people had a right to interfere in urging the more rapid progress of this Bill. He had been astonished to observe the unconstitutional ground taken

on the occasion. It had been argued, that Members should not take a part in matters which might refer to places not connected with the places they Represented. Why, it was one of the strongest arguments made use of in favour of small boroughs, that the parties who sat for them were Members for the whole country.

Mr. *C. W. Wynn* said, he was in the recollection of the House as to what he had said, and if there were any Member present who conceived him to have denied the competency or the propriety of the people of any part of Scotland taking an interest in the progress of the English Reform Bill he should wish to undeceive him. He had made no such denial; what he stated was, that though the Provost and Council of Linlithgow might be very respectable people, he thought them the very worst judges of the time which might be required in deciding whether an English borough should be disfranchised or enfranchised. As to the allusion made by the hon. and learned member for Kerry to an hon. and learned Gentleman who was not in his place, he must state, that it would have been more fair, and more consistent with gentlemanly feeling, if he had reserved his remark until that hon. and learned Member was present, who, no doubt, would be able to give him a satisfactory answer. He was not surprised at the hon. and learned Member's allusion to the anniversary of the 4th July, as that of American Independence, but he owned, that he did not expect to hear it coupled with an allusion to another anniversary, that of the 10th of August—a day memorable in the annals of lawless outrage, and distinguished by a massacre from which the streets of Paris ran with human blood.

Mr. *O'Connell* said, he had made the allusion to the hon. and learned Member (Sir C. Wetherell) playfully. He certainly was wrong in alluding to only one orator as having thumped the box; for he might have mentioned five or six who impressed their oft-repeated arguments—or no-arguments—in that manner. When he spoke of the 4th of July, he spoke of it as the anniversary of an event at which every friend of freedom should rejoice; but his coupling it with the 10th of August was not because he thought the events of the day ought to be imitated, but because he wished to call to the remembrance of some hon. Members, that

the events of that day, deplorable as they were, were the result of a long and dogged refusal to restore the usurped rights of the people, who had been opposed and trampled upon in a worse manner than they had been by the boroughmongers here, and in that feeling only did he express a hope, that the Bill might be over by the 10th of August.

Mr. *Hunt* said, the petition reminded him of the case of a person who came up to town when the Reform Bill was brought in, and who, on being asked how long he intended to remain, said, he would stay a few days, until the Bill passed, that he might carry it home in his pocket. The petitioners, or rather petitioner, for there was only one signature, might have made the same estimate of the time it would take to carry the measure. With respect to the meeting of the Livery of London, which had been alluded to on a former occasion, he wished to observe, they were a distinct body from the citizens, of which they formed but a small proportion. The citizens would, no doubt, however, have met, to petition the House; had they not seen the fate of the Birmingham petition, as well as those of other places.

Mr. *Lefroy* could not conceive on what ground, as the Committee had refused to hear Counsel, hon. Members should be prevented or restrained in any manner from giving their opinions in every case of disfranchisement, as it was brought before them. These boroughs had no assistance from their judges, in the absence of Counsel, but rather found in their judges a disposition to condemn by wholesale, without giving the accused an opportunity of making a separate defence.

Petition to lie on the Table.

Mr. *Gillon*, in moving it be printed, said, the people of Scotland had a great interest in the speedy passing of the Bill, as upon it depended their own deliverance from an oppressive system, which had caused them to sustain a load of taxes, while their petitions were treated with neglect. He should be ready to support the prayer of his constituents.

Mr. *Burge* deprecated this and every other attempt made to dictate to the House of Commons, when they were engaged in the discussion of a measure which so ominously threatened the safety of the British Constitution, and all our happy existing institutions. It was a new era in legislation, for that House to have a course of dis-

cussion prescribed, and to be called upon, at a few days notice, to make such a great and decided innovation. It was the duty of those who saw defects in the Bill, to point them out, and its advocates acted inconsistently in hurrying it through the House, for if they considered it so excellent as they pretended, they would not fear its suffering in public estimation, by examination and discussion. The Ministry of this day had neglected the warning admonitions of History, which had been well defined to be philosophy teaching by example, and contemplated without apprehension the completion of those changes and innovations, upon which all rational men in times far more pregnant with ability than these, and all intelligent men of our own day, looked, or had looked, with the most fearful anticipations.

Mr. *North* was not, in the least, surprised that some hon. Members should rejoice and congratulate themselves upon every occurrence which, like this, as the hon. member for Kerry had insinuated, was but a stage or more towards a general change, including in it the dissolution of the Union between this country and Ireland; but that the Ministers of his Majesty should be indifferent under such circumstances, was what he could not reconcile to their avowal, that they thought in this Bill was to be found a firm base for the political welfare, and final arrangement of the Legislature, of this great nation. There might have been some ground for Ministerial impatience to pass their favourite measure if they had brought it forward originally without any error or blemish in its inception; but when it was by others found, and by Ministers acknowledged, to be replete with numerous and admitted errors, which they, with singular precipitation, hastened to correct and set right, when ordered so to do by their masters, the daily Press, he confessed he could not see how they could object to that calm examination which had already so frequently corrected numerous errors. Hitherto, he had taken no part in these discussions, of which, and of the Bill, he was heartily sick and weary; and he could safely say, he should feel but little concern were the Bill to be carried with all the expedition the Ministry seemed to wish; for he had little doubt in his mind, that the measure of 1831 would be soon superseded by the measure of 1832 or 1833; for the progress of innovation was not likely,

he was sure, to be stopped by the present measure. He was weary of the continued and renewed discussions, night after night, if discussions they might be called, which seemed to lack all the essentials of deliberation worthy of an enlightened Legislature. That they were impatient, or seemed so, was naturally to be expected, because they were obliged to assume an air of reckless haste in accomplishing the measure of Reform, in compliance with the cry raised out of doors in its favour, by those who had taken up the pledge of the Ministers as the sole qualification necessary for their very unexpected and sudden elevation to power.

Mr. *Cutlar Ferguson* said, he disapproved of such petitions as this, because the proceedings of the House ought to be perfectly free. He protested against their being interfered with, either by intimidation or otherwise. Great delay, no doubt, took place, not, however, in discussing the principle of the details, but in consequence of repeating the same arguments, night after night, upon each individual case. He hoped no representations from the metropolis, or any other part of the country would be permitted to influence their deliberations; but, that the House would be always alive to its own independence.

Mr. *George Robinson* protested against the line pursued by the hon. and learned Gentleman (Mr. North). He had a full right to claim good intentions on his own part, and those with whom he acted, but not to attribute bad ones to those who differed from him. What had been the means employed in all preceding legislation, but majorities, and former majorities would be found, he believed, more objectionable in principle than those on this Bill. He wondered, that hon. Gentlemen had not discovered the inconvenience of majorities formerly, when they were always on the winning side. Petitions of this kind might, generally speaking, be inexpedient; but the language was respectful in the present petition, and he saw, therefore, no objection to receiving it. He considered, that imputations on either side were highly improper.

Sir *Charles Forbes* was of opinion, that the House had done more mischief in one short month than could be repaired in centuries. The argument was all on the Opposition side of the House, and no answer had been given to it on the

other. If the majority were resolved to pass the Bill, let them avow it at once, let them dispense with the usual forms of the House, and agree to all the clauses at once, let the question be put upon the Bill, the whole Bill, and nothing but the Bill, this was the way to satisfy the Press, and put a speedy end to the necessary discussion of the Bill.

Petition to be printed.

COLLECTION OF THE NEW WINE DUTIES.] Mr. *Attwood* rose, pursuant to the notice he had given, to move for copies of any orders from the Treasury, by authority of which the duties on Wine were now levied without the authority of law. The imposition of any duty without the sanction of Parliament was a violation of the Constitution, and it was no answer to a charge of that kind, to say that it had been done by others in office. The House was bound to vindicate its own authority, and not allow it to be usurped by any individual whatever. The noble Lord (the Chancellor of the Exchequer) had defended the collection of the Wine duties on a former day, by stating that it was the practice of the Treasury to issue orders to that effect as soon as the Resolutions of the House, settling, that any duties should be levied, had been reported. But the Resolutions of the House gave no authority of that kind. All they stated was, that it was expedient that such and such duties should be collected, but they did not mention when the collection should take place. The noble Lord had asked him the other night, whether he had attended a meeting of Members out of the House. To that question he replied in the negative. He was not disposed to discuss out of that House matters which were fitter to be debated within its walls. But if he mistook not, the noble Lord had himself convened an inner Parliament, either at the Treasury or the Foreign-Office, and, that questions were there discussed, and the Members were disciplined and marshalled into the House, not to debate, but to vote. That was the course adopted with respect to the Wine duties, and he believed, that the Members who were pledged to Reform voted for them with so much want of consideration, that it might be supposed, that they considered those duties as forming part of the Reform Bill. He called on the House to consider how the business of the country was neglected, while

the attention of Parliament was entirely engrossed by the subject of the Reform Bill. Besides the imposition of additional duties on wine, there had been taxes repealed to the amount of 1,500,000*l.* without authority of law. This was a course of proceeding which was perfectly unjustifiable, unconstitutional, and illegal. For the Treasury to levy large sums upon the people, without the authority of the other branches of the Legislature, was a perfect mockery of law. It was an utter violation of the principles of the Constitution; and, if persevered in, would lead to circumstances of a most destructive character. The noble Lord had taken the House by surprise, by introducing the subject of the Wine duties without notice, in a Committee upon the Customs' Acts, which made the whole matter most objectionable. The hon. Member concluded by moving, "That there be laid before the House a copy of the authority under which his Majesty's Board of Customs have proceeded to levy additional duties upon all wines not French, delivered out of the warehouses or quays for home consumption, on and since the 20th day of July last."

Lord *Althorp* thought, the hon. Member had spoken with somewhat more vehemence than the occasion called for. Before he made an observation on the Motion he wished to say a word on the question of Members meeting out of the House. He could never have meant, by the allusion he made on a former night, to cast any imputation or blame on the hon. Member for having, with others, also Members of Parliament, met in a large number to determine what should be the course of conduct they, in their places in Parliament, should pursue whenever they felt their interests concerned. He had been too long a Member of that House, and too long fully convinced, that it was a great public benefit to the country that there should exist what were called parties of public men, who acted together in the senate, to question the right such men had to meet and deliberate upon topics of peculiar interest to themselves. He did not recollect, that he had mentioned at the meeting alluded to, any thing about the Wine duties, or the course to be pursued concerning them, further than this, that some person present had asked him, when the subject would come on, and it was arranged that it should come on in the Committee upon the Customs'

Acts. He had no objection to the Motion, but wished to amend it so far as to include within it a great number of preceding orders, which had been made by the Board of Treasury, on similar occasions. He thought it would be very inexpedient that the measures of the Government should be such as to cause a race amongst those who had stock in the market, that they might get it in immediately after the Resolution was passed, and before the duty was levied. His Majesty's Ministers had, on this occasion, adopted the uniform practice when Resolutions were agreed to which varied the rate of duties. The hon. Gentleman must be aware that, if any parties had chosen to refuse payment of the duties, there was no means of compelling them. But the only effect would be, that when the Act passed, the duties would be levied. He should move, as an amendment, "that copies of all the Orders of the Treasury by which duties were levied on the authority of Resolutions of that House, since the 1st of January, 1800, be laid before the House, together with the Resolutions on which the same were founded."

Mr. *George Robinson* had no doubt that precedents could be found to justify the noble Lord, but he thought they would be "more honoured in the breach than the observance." With respect to the argument, that if the duties were not immediately levied, parties would take advantage, and send into the market all the wine on hand, the same thing might be said of the proposition in the Budget which, in the usual course, might be expected to be confirmed by Acts of Parliament. A resolution of this House should, in this case, not have the force of law. Great delay, he was aware, had taken place, and many public interests were neglected, merely on the ground of the Reform Bill. As yet there was no day fixed for bringing forward the subject of the Wine duties, and he objected decidedly to the conduct which had been pursued.

Mr. *Goulburn* imputed no serious blame to the noble Lord, and he thought, that for the benefit of trade, the date of any decrease or increase of duties should be particularly specified in the resolutions of that House. But in the Resolution on the Wine duties, no specific date was fixed, and that must have injured those persons who were particularly interested in the trade. The complaint here

was, that new duties had been imposed without the consent of Parliament, and to that no answer had been made. In previous cases, when duties were levied merely upon a resolution of that House, bills had been immediately passed, and no such delay as on this occasion had taken place. The other House of Parliament had a right to a negative upon duties, although they could not originate them. The present case, if drawn into a precedent, would be extremely dangerous to the privileges of the House of Commons, but still more so to the privileges of the other branch of the Legislature, upon a point upon which its privileges were already very limited.

Mr. *Poulett Thomson* said, that the present Government followed the precedent of 1825, which had the sanction of the right hon. Gentleman (Mr. Goulburn). The question was, not an increase or decrease of tax, but, as it was now argued, was one of date. And the question then, as now, related to the Wine duties. The omission of the date had nothing to do with the question, as admitted by the right hon. Gentleman (Mr. Goulburn). It was for the convenience of trade that the course now pursued had been adopted. Whether Parliament might or might not alter what had been done he could not say, but if it were altered, it would be attended with considerable difficulty.

Mr. *Goulburn* said, as regarded the privileges of either House, the question was the same, whether it was an imposition or reduction of duty; but the complaint was that the duty had been levied in this case, when all that had been done formerly was, to take security for the payment. Merchants were not in general fond of paying money if they could avoid it.

Sir *Charles Wetherell* said, it should be recollected, that this was not a slight change, but was a remodelling of the whole constitution of the Wine duties. That Ministers should take upon themselves to dissolve the Methuen Treaty, to encourage the importation of French wine, to adopt the anti-colonial policy of increasing the duty on Cape wines, upon a resolution of the House only, was a matter deserving their most serious attention, and he was glad that his hon. friend had brought it under their notice.

Mr. *Courtenay* complained of the time that had elapsed. Resolutions of this nature ought not to be proposed unless the Government were prepared with a bill

founded upon them. With respect to the case of 1825, that was a measure of relief, while this was an imposition of duty, which made all the difference.

Lord *Althorp* said, that directions had been given to prepare the Bill; and it was under peculiar circumstances that it had been delayed.

Mr. *Callaghan* said, that in all cases of increase of duty, no man should be allowed to tax the public without an Act of Parliament, and the duty should take place only on the passing of the bill. A great injustice would be done to parties living at a distance.

Mr. *Attwood*, in reply, observed, that this was a most unconstitutional measure, and the right hon. Gentleman (Mr. Poulett Thomson) seemed to consider there was little difference between imposing and reducing a duty. That was quite worthy of a member of the Government whose first act, on coming into office, was to take the duty off barilla, not only without an Act of Parliament, but absolutely without even a Resolution of the House. The Government had no right to enact a repeal of duties at its own pleasure and leisure, when there was nothing else to do.

The Motion, as amended by Lord Althorp, agreed to.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — SIXTEENTH DAY.] The Order of the Day for the House to resolve itself into a Committee of the whole House on the Reform in Parliament (England) Bill was read; and the House resolved itself into a Committee, Mr. Bernal in the Chair.

The question was “that Wolverhampton, including the townships of Wolverhampton, Bilston, Willenhall, Wednesfield, and the parish of Sedgely, Staffordshire, stand part of schedule C.”

Mr. *Croker* wished to inquire why the township of Willenhall was placed with Wolverhampton?

Sir *John Wrottesley* begged to be permitted to answer the question, as he had considerable local knowledge. The township of Willenhall was within two miles of Wolverhampton, and was part of the parish of the latter place.

Mr. *Croker* wished further to be informed, whether Willenhall was not as near to Walsall as to Wolverhampton.

Sir *John Wrottesley*: It is situated rather nearer Walsall than Wolverhampton.

Mr. Croker would explain to the Committee the reason of his asking the question. The proposed borough of Wolverhampton appeared to be constituted of a number of adjoining townships, which contained a very considerable population; but the town of Wolverhampton was in itself a considerable place, containing 18,000 inhabitants. He wished, therefore, to understand, why it was necessary to take in so large a number of the surrounding population, amounting in the whole to 54,000? Among the included townships were the Chapelry of Bilston, and the parish of Sedgely, which also contained 17,000 inhabitants. Neither of these places was connected with Wolverhampton. He was quite free to acknowledge the propriety of this town having Representatives, but he protested against the adjacent townships being added, because the town itself would derive no advantage. It would, in the words of the noble Lord, the Chancellor of the Exchequer, be sluiced and drowned, by letting in upon it the population of the neighbouring districts, amounting to 35,000. He also protested against the town of Wedgebury being left unrepresented, and suggested that, according to the principle which they had pursued in the case of Wolverhampton, Wedgebury ought to be incorporated with the adjacent town of Walsall, which, including the parish, had only 11,000 inhabitants, and which, by a strange stretch of partiality, had been left to enjoy by itself the right of Representation. It was situated within six miles of Wolverhampton, and he was wholly at a loss to understand why this exclusive right should be given to it, for the hon. Baronet had informed the House, that Willenhall was rather nearer to it than to Wolverhampton. These were points on which he required some explanation.

Mr. Littleton would endeavour to explain the local circumstances to his right hon. friend. Willenhall was comparatively a small place, about a mile and a half from Wolverhampton, and the interests of both were identified: the same argument applied to Sedgely, which had a population of 6,471 by the census of 1821. For these reasons, both these places had been joined to Wolverhampton. He insisted that there was an identity of pursuits and interests between it and the districts added to it. But his right hon. friend then asked, if this union of townships was to take

place with Wolverhampton, why should not a similar union be made with the borough of Walsall, and why should not Wedgebury be annexed to it. The simple answer was, Wedgebury was a distinct parish, and was, therefore, unlike the other places proposed to be annexed to Wolverhampton.

Mr. Croker hoped to be able to shew at a proper time, notwithstanding the superior local knowledge of his hon. friend, that the Chapelry of Willenhall was exactly half way between Walsall and Wolverhampton. He therefore complained, that equal justice was not dealt to all, for Wedgebury was the largest town in that part, and ought to have been included in one or other of the districts marked out for Representation. Were there not several places included in the borough of Wolverhampton, quite as separate from it as Wedgebury was from Walsall. Both these places were, in point of fact, not towns, but crowded districts, the population of which had grown up by manufactures, and which had become so important as to be entitled to Representation. He therefore asked, why were not these placed together; and was told as a reason, that they were different parishes, while Wolverhampton was sluiced by letting in all kinds of Chapelries and townships. They had so managed the matter, however, that Wedgebury was left without Representatives. It was said, the people of Staffordshire were satisfied with this arrangement, but this was no argument with him. He was there to look after the general interests of the country, and to take care, that if the Bill passed at all, it should at least be made as just and fair as possible.

Sir John Wrottesley would assure the right hon. Gentleman, that Willenhall was nearer to Wolverhampton than to Walsall. The latter place had a Mayor and Corporation of its own, with a separate jurisdiction, and that accounted for its having a separate elective franchise. The parish of Wolverhampton was a very large one, and there was no inconsistency in uniting all the townships within the parish, for the purpose of conferring the elective franchise on them conjointly. Wedgebury was also a separate place, and did not contain, as had been asserted by the right hon. Gentleman, the largest population of any of the manufacturing places in that district. He was satisfied, and so were the people of Staffordshire, with the

arrangement made, and he must besides declare, that the question was, whether Wolverhampton should have two Members by taking to it these districts, or one without them. And of course it could not be doubted, that it was better to have the two Members and the increased constituency.

Mr. *Croker* said, he could not assent to the argument of the hon. Baronet, that the people of Wolverhampton would rather be united with the adjacent districts, and return two Members, than to have one to themselves. That was as much as to say, they would rather have no Representative at all, since the weight of the annexed districts, in returning the two Members, was to that of Wolverhampton in the proportion of 35,000 to 18,000. The inhabitants of the town, therefore, would have no share whatever in the Representation.

Lord *John Russell* said, ground of the union of these districts was, that Wolverhampton and Sedgeley were both populous and important places, and both entitled to Representation; it was, therefore, considered more advisable to unite and allow them together to return two Representatives, than to give each one separately.

Mr. *Stuart Wortley* must protest against the proposed system of enfranchisement; they were called upon to unite particular districts, not from any natural or necessary cause, but simply "that it was deemed advisable." When they were disfranchising places in the two first schedules of the Bill, many instances were brought forward of actual identity, but such circumstances were not regarded then, although they were now held to be sufficient to incorporate places in order to return Members.

Lord *Althorp* remained of opinion, that the proposed arrangement was proper, notwithstanding all that had been said. It should, therefore, have his decided support.

Sir *Robert Peel* said, two Representatives were to be given to the united districts which were to compose the borough of Wolverhampton. He therefore thought two should also be given to the united towns of Walsall and Wedgebury. They had been told, as the reason why this should not be done, that the former town had a Mayor and Corporation; but that was no reason why it should not be united with another town for the purpose of Representation. The Bill totally disregarded Corporate rights or jurisdictions. Wolverhampton, they had been told, was a very

large parish, with a scattered population. Regardless of these circumstances, Ministers had determined to unite the whole (although there had been a difficulty, such was the nature of the population, to ascertain the number of 10*l.* houses), and thus continue to confer on them the right of returning two Members to Parliament. At the same time they refused to unite Walsall with Wedgebury for the same purpose, in both of which towns the population was concentrated. The inconsistency of this arrangement was so manifest, that he hoped the noble Lord would not persevere in it.

Mr. *Littleton* had heard no complaint from Wedgebury, that it was not to be represented, and indeed there was great doubt if the inhabitants wished it, as it would take them out of the county Representation.

Lord *John Russell* said, it would be time enough to consider the propriety of extending the franchise to Wedgebury when they came to Walsall.

Mr. *Croker* believed, no freeholders in towns were to lose their rights on account of the franchise being given to householders. If that was to be its effect, he should like to see the county Member who would support such a principle. It would go far to change the majority. He was not surprised at the town of Wedgebury not complaining, because, from the treatment of Guildford and Dorchester, they could have very little hope of being attended to.

Mr. *Littleton* begged to assure the right hon. Gentleman, that his constituents at Wedgebury, had no sympathy with the boroughs of Dorchester and Guildford.

Mr. *Croker* observed, that Ministers had acted inconsistently in two cases, occurring even in this schedule. In the case of Westminster and Mary-la-bonne, they had insisted on giving two Representatives to each district; while, with respect to Wolverhampton, they had resolved to confound the town with the neighbouring districts, and give them common Representatives.

Sir *Charles Wetherell* said, that they had applied a different principle to Wolverhampton from that which had guided them in the case of Clitheroe. The question before them was, whether a whole district of towns, villages, and hamlets, should be united for the purposes of Representation. After the manner in which

many of the towns in schedule B had been treated, he was struck with astonishment, notwithstanding all they had done hitherto, at finding Ministers put forward such a proposition as this. Clitheroe was disfranchised on the pretence that the town itself did not contain a sufficient population to entitle it to return two Members, although there was a considerable population in the vicinity closely identified in interest with it. In that case, the district population was wholly excluded; while, in the case before them, the town population would be as nothing to that of the surrounding districts included with it, and with which the town did not appear to have a common interest. This question ought to be adjourned until they had decided the case of Walsall.

Lord *Althorp* could not agree with this proposal of the hon. and learned Gentleman. The cases of Walsall and Wedgebury were perfectly distinct from Wolverhampton. There could be, therefore, no necessity to postpone the consideration of the latter; and he could not conceive any parallel between the cases of Clitheroe and Wolverhampton.

Mr. *Croker* said, his argument was, that if you added Sedgeley to Wolverhampton, on the same principle, Wedgebury ought to be united with Walsall; therefore there was some connexion between the two cases. When they came to Walsall, he should certainly move, that Wedgebury be added to it.

The question carried.

The next question, as amended, on the motion of Lord John Russell, was—"That the words the Tower Hamlets, including the Tower Division in Ossulston Hundred, and the Liberty of the Tower, Middlesex, stand part of schedule C."

Sir *Edward Sugden* said, the object of this Bill was, to take away the rights of freeholders, and to consult only the rights of the occupiers of tenements. The Government took out of counties large districts, and formed them into boroughs. By the operation of this Bill, as he understood it, all the freeholders of the very extensive metropolitan districts, enumerated and classed in this schedule, would be taken out of the constituency of the county of Middlesex. Its object was, to exclude all persons who had houses rated at 10*l.* a year, from voting for the county. Now, let the Committee observe how this would operate in Middlesex. The fran-

chise being given to the districts surrounding the metropolis, the only persons who would have a vote for the county would be those who were disqualified from voting in the City, or the newly-made boroughs. Thus, the very lowest freeholders, only, in London would be admitted into the county constituency; and they would entirely overwhelm the influence of the agricultural portion of the county, which already had but too little influence in elections. He believed, that many hon. Members, who were pledged to vote for the principle of the Bill, were still at liberty to examine and deal as they thought right with its details. He called upon such Gentlemen, as independent Members of Parliament, as they desired hereafter to stand well with themselves, and with the country, to examine these matters with free and unbiassed minds, and to decide upon the merits according to the dictates of their conscience. This was the true way in which they could serve the people, and deserve the gratitude of their posterity. It was impossible, that he could have any feelings, or interest, opposed to, or apart from, those of the people—impossible on every account. His only desire was, to see the rights of all properly regarded and protected.

Lord *Althorp* said, that when they came to the clause which related to cities being counties in themselves, he should show the hon. and learned Gentleman, that it had been thought desirable and proper, that the freeholders of the city of London should be placed on precisely the same footing as other freeholders. It would be found, that the distinction, with regard to the city of London, was not of importance, and that it was more a nominal distinction than any thing else. All that it was intended to do was, to place the inhabitants of all the districts of London upon the same footing.

Sir *Edward Sugden* had thought this provision of the Bill an important one. But, as he had drawn the admission from the noble Lord, that it was only a little ornamental addition, his object was effected.

Lord *Althorp* said, that as the Bill opened the county Representation to freeholders of cities and towns, it was thought proper to do the same by the city of London.

Sir *Edward Sugden* said, the freeholders of London were to be admitted to the

elective franchise for the county for the first time. There was also this distinction between them and the freeholders of counties, of cities, and towns, generally—in the latter, there were to be found, for the most part, large districts of land and rural interests, whereas, in London, the only freeholds were in houses.

Sir *Ch. Wetherell* had taken some pains to look into the Bill, with a view of ascertaining how far its provisions had been governed by the principle of making concessions to gain support. Now, the citizens of London had certainly taken a great lead in supporting Reform, although they had not yet succeeded in leading that House. He could not avoid coupling that fact with the circumstance, that this exception in favour of the city of London, was not in the first Bill, but had since been introduced. By the Bill, it appeared, that the City freeholder was to have a vote for the county in which London was situated, but the freeholders of other places were not to have votes for the counties in which those places were situated. He was very much dissatisfied with the distinction.

Mr. *Frankland Lewis* assured the Committee, that he had one substantive point, of great importance, to offer to their consideration, and that he did not rise for the purpose of merely delaying the Bill. The point he alluded to was this—the city of London had never been part of the county of Middlesex, and its freeholders never had had a right to vote for the county Members. In his opinion, therefore, this privilege ought not now to be given; the constituency of Middlesex was already too unwieldy; and he was convinced, great evils would arise from too large a number of voters. It increased the probability of violence at elections. He, therefore, trusted London would be replaced on the footing of the first Bill, which, he was sure, would be an improvement. The present arrangement was the more objectionable, as it offered an anomaly to the words of the ninth clause, which declared, “that nothing therein contained should affect the right of voting in the election of Knight of the Shire, enjoyed according to the laws now in force.”

Mr. Alderman *Wood* said, that there were very few freeholders in London, as was proved by the great difficulty they always had to make up a Jury for the

Admiralty Court. There was no such thing as a low order of freeholders in London. He did not think, that there were any worth less than from 50*l.* to 100*l.* a year; and those persons had hitherto had no votes for their freeholds. The freeholds were either in the hands of opulent persons, or of corporations. He would take this opportunity of expressing his surprise, that his worthy and learned brother Alderman near him, the member for Boroughbridge (Sir C. Wetherell), should take every occasion of bearing hard upon London Aldermen. Surely, a London Alderman was as good as a Bristol Alderman, and the hon. and learned Gentleman was only a Bristol Alderman. He did not wish to run down Bristol Aldermen, and still less did he wish to run down so distinguished a member of that body as the learned Gentleman, who was Recorder, as well as Alderman, of Bristol; but he did think, that his learned and worthy brother of Bristol might have a little more respect for the aldermanic fraternity in other corporations. He could only account for this conduct on the part of his worthy and learned brother Alderman, on the ground, that it had escaped his worthy brother's recollection, that he (Sir C. Wetherell) was an Alderman. Perhaps his worthy and learned brother would recollect this for the future, and bear in mind that, when he was sneering at Aldermen, he was cutting jokes upon himself, as well as upon others.

Lord *Althorp* must suggest to the Gentlemen opposite the inconvenience of debating questions not immediately before the Committee. They were now discussing schedule G, while the question before the Committee was, whether certain words should form part of schedule C.

Mr. Alderman *Waithman* admitted, that it was quite premature to allude to the freeholders of London. He would, however take the opportunity of saying, they were a very small body, as the greater portion of the property was in the hands of the various corporate bodies.

Mr. *Croker* assured the worthy Alderman, he did not object to the freeholders of London having a vote.

Question agreed to.

The next question was, “that Finsbury, including the parishes and districts of the Finsbury division, in Ossulston Hundred, Middlesex, the parishes and districts of St. Andrew, Holborn, St. George the

Martyr, Saffron Hill, Hatton Garden, Ely Rents, Ely Place, Liberty of the Rolls, St. Giles, in the Fields, and St. George's, Bloomsbury, Middlesex ditto, do stand part of schedule C."

Mr. *J. Weyland* said, he had no hope, after what had transpired, that any material alteration would be allowed to be effected in any part of the Bill with the consent of its framers. In considering the present question, therefore, he had a right to consider, that the Members proposed to be given to the metropolitan districts were to be returned upon the constituency at present proposed by the Bill; and they must make up their minds, that hereafter, the 10*l.* householders of the various cities and towns in England were to return a majority to that House. To such a constituency he had very strong objections; and he contended, that it would be extremely dangerous to all the great interests of the country. The right of voting in the metropolitan districts, especially, ought not to be given to all 10*l.* householders. He was prepared to prove, from the returns made to that House, that the Representatives elected by such a constituency would be, in fact, elected by the holders of houses of from 10*l.* annual value, to 20*l.* annual value. Nor would this be the case in the metropolitan districts only, but it would be the case also in all places where 10*l.* householders were admitted to the constituency, in the manner proposed by the Bill. This was the fact; and if the great interests of the country were left at the mercy, as by the Bill in its present state they would be, of the political wisdom, and sagacity, and prejudices of the 10*l.* householders, there could be little doubt as to what would be their fate. He had no wish to speak harshly or disrespectfully of that class of the community. They were hard-working and hard-worked, at present, he thought, too hard-worked, people. He felt this to be the case; and he should be extremely glad to see them relieved. But they were a money-making race: they looked to their own personal and little interests only, and it would be worse than absurd to expect them to take a deep or profound view upon any great question of internal or external policy. Give to that class the power of controlling a considerable number of Members of that House, and it was perfectly certain, that their first cry would be, "a total repeal of the Corn-laws."

They would want cheap bread, and they would think only of the readiest way of acquiring it at the moment; they would think nothing of the fatal consequences to the manufacturer of destroying the home market: that would be beyond the reach of their vision, and the total repeal of the Corn-laws would be their cry. In this statement, he was supported by the conduct of the class referred to. He held in his hand a document which proved the justice of his assertion. The document he adverted to was a petition from the working classes of the metropolis, for the abolition of every restriction on the importation of corn. It was a document in the possession of the House, having been presented and read on July 11th; and he would beg leave to quote it. The hon. Member read as follows:—

"Your Petitioners pray, that the House will instantly abolish every restriction on the importation of corn. The petitioners submit to the House, that as the landed interest were not compelled, during the war, to sell their corn at a cheap price, neither ought the petitioners, when peace arrived, to have been compelled to buy it at a high price. If landlords were improvident during the war, and mortgaged their estates, the fault was theirs: if money-lenders anticipated no change in the value of land, the petitioners were not blameable for that; and how any former House of Commons could be so destitute of every principle of justice, as to make the petitioners suffer for the improvidence of the one or the folly of the other, and pass laws to starve the poor, can only be believed, because the petitioners hear the cry of famine from one end of the kingdom to the other—because they read almost daily of men and women drowning themselves, poisoning themselves, and cutting their throats, in consequence of want—because they see them dying of hunger in the streets and in the fields, and behold infants perishing at the famished mothers' breasts. The poor have asked the House for bread; the cries of the poor for food have been answered by the bullets of the yeomanry, and murder has been considered a fit accompaniment to the detestable and iniquitous Corn-laws. The petitioners pray the House to relieve them from this curse of their existence, to take this mill-stone off their necks, and to join with them in execrating the authors of a law which has brought nakedness upon their children, and famine into their dwellings—join with them in holding up to eternal hatred the oppressors who have bound them in chains—emancipate them from this thralldom."

The working classes not only petitioned for Reform and a repeal of the Corn-laws, but they expected, through these mea-

tures, to have cheap bread, no taxes to pay, no Debt to provide for ; to be rescued, as the petitioners termed it, from the iron hoof of the Aristocracy : and if they found themselves disappointed—if they found that the present Bill did not work all the changes they required, they would naturally exclaim, the Reform did not go far enough. They would bind the Members they returned down by pledges. The system of pledges would not be forgotten ; and thus bound down, and by such constituents, what could the Representatives of the 10*l*. householders do for the protection of the agricultural, or of any of the great interests of the country ? The class of persons he had alluded to had been taught to view the present Bill in this light—that should it not be found to be sufficient for their purposes, a larger and more sweeping measure would easily be obtained, this Bill once being passed. They had, indeed, been informed, by very high authority, that a little bit of Reform at a time would not do—they must have a large slice. One would have thought that, whatever a Reforming people might say, a Reforming Government would not have aggravated the effect of its views upon the people, by the empiricism of proverbs. He could not approve of this system of governing by proverbs. The ancient government of France was said to be an absolute government, tempered by songs and pasquinades—the men of wit and talent satirized the ministers, and made them ashamed of themselves by force of ridicule, whenever they committed an enormity. That was done by the governed ; but that a Reforming Government should bring themselves to inform the people that “bit-by-bit” Reform was a mere delusion, when every body knew, that no Reform that is not gradual was ever otherwise than ruinous, surpassed his comprehension. Gradual Reform was good, but call it “bit-by-bit,” and the good thing became ridiculous in the eyes of the people. It had cost him some reflection to discover any prototype of this government by proverbs, which appeared to be so great a solecism. At length, however, it struck him that it could be found in an author by whom much amusement had been afforded to the world, and who described an island, not indeed so large as Great Britain, which was for seven days under a reforming government, assisted by proverbs. He meant the island of Barataria, where Sancho was

eminently successful in this way. He turned to the history, and found a passage likely to be so eminently useful to a Reforming Parliament and a Reforming Government, that he would venture to read it to the House. The worthy governor Sancho began, as usual, with a most oracular proverb :—“When Providence sends daylight, it’s daylight to all the world ; and I would have you to know, that I am not quite such an owl as you take me for. I shall certainly manage to govern this island without doing wrong to any one, or taking away any right from one human creature : but I pretend also to have my own rights duly respected, and, above all, that plenty of good food shall be given to me and my grey charger. Moreover, I shall purge this island of all sorts of idlers and coxcombs (Dons, as they call themselves), who do nothing but beat the pavement with their armed heels, get tipsey, and insult the old ladies. They are drones among the bees, stealing and devouring the honey they have collected. Finally, I am resolved to protect the labourers and journeymen, to preserve the privileges of the nobility, and to inculcate a respect for religion, and honour to the Church.” He viewed with alarm the formation of a constituency, in which the 10*l*. householders were to have an overwhelming interest. He wished not to say any thing ungracious of any class of men, but, unless some assurance was given that some counterbalance would be proposed by Government to check the influence of the 10*l*. householders, he should feel it to be his duty to oppose the remaining clauses of the Bill. He was satisfied, that if a constituency of 10*l*. householders was to rule the country, and under this Bill as it now stood, such would be the fact, the Constitution must inevitably be destroyed. He was decidedly friendly to Reform ; he wished to see every class of the community represented, and to see a fair and reasonable system of Representation adopted. This the Bill would not effect. He called upon the House to consider how very delicate was the texture of that chain which bound all the complicated interests of this country together ; how easy a link might be broken, and how difficult it would be to reunite it. One false step might throw the labourers out of employment, hunger would lead to sedition, and order would only be restored by the sacrifice of large masses of the people. One false step

might lead to the dissolution of all the parts of society; and when once they were separated, it would not be possible to unite them by such a clumsy hempen contrivance as this Bill. The principle professedly taken by its framers was good enough, but the construction of the Bill was hasty, and might be dangerous to the Constitution. He approved of the annihilation of nomination boroughs. Nomination ought to be done away with; but upon this point the Bill was not complete and satisfactory. Upon the point immediately under consideration, it was still less satisfactory; for, although the country required a free Representation, it did not require such a Representation as must lead to the destruction of all its great interests. If the Government had fairly and properly proposed a sound plan of Reform, many of the difficulties which the House now had to contend with never would have arisen: all parties would have united to effect a final and satisfactory settlement of the question; but, as matters stood, it was in vain to look for such a combination. This he regretted; but it was to be attributed to the conduct of the Government, who hastily and rashly framed a Bill, dangerous in its details, and then required the unqualified concurrence of the House. The Government ought not to have agitated, but to have soothed the country upon this great question. He had voted for the second reading of the Bill; but in doing so, he had not pledged himself to vote for all the details, nor could it be inferred from that vote, that he was favourable to those details. On the contrary, it had been urged by the Ministers, when they first brought forward the Reform Bill, during the last Parliament, that the details might be corrected in Committee. It was upon the principle of the Bill that he voted, when he voted for the second reading; and he now called upon the Government to make those alterations in the details which reason proved to be requisite for the safety of the Constitution.

Mr. *Cumming Bruce* acquiesced in the arguments which had been advanced by the hon. Member opposed to the Bill. He only rose to enter his protest against this species of legislation. He must refer, however, to the torrent of vituperative eloquence poured out last night by the hon. member for Westminster (Mr. Hobhouse). It would seem as if that hon. Member derived his eloquence from all the leading arti-

cles of all the seditious publications which had gone forth for years past. He had called it a torrent, and, he thought, not improperly, for it foamed and boiled against the banks, driving at one side against the privileges of the Aristocracy, and on the other against the character of every former House of Commons. Not to wander further, however, from the subject under discussion, he begged to protest against a proposition, which would give to the metropolis half as many Members as the whole kingdom of Scotland had, and more than all the boroughs and towns in Scotland put together. When Scotland entered into the union with England, it was as a free and independent nation; but, in bringing forward this measure, the principle of reciprocity was lost sight of, and he, for one, complained that Scotland had not been consulted, nor had that respect paid to it which was due to a nation of gentlemen. He did not wish to allude to what had recently been the conduct of the Livery of London, but after what had lately taken place between that body and one of its Representatives, and when it was known, that a Committee of the Livery was sitting, to watch the proceedings of that House, he asked, could they expect that the Metropolis would return Members who would have that regard to the general interests of the nation which was to be expected from the Members of that House? The theory of the Constitution, to which he was old-fashioned enough to adhere, was, that when a Member was appointed, he represented, not a particular place, but the empire at large. Considering the Members of the House of Commons in that light, it was a matter of indifference to Scotland, hitherto, whether it had one or two Members more or less. It considered all the Members of that House its Representatives; and he admitted, that no country had benefitted more by the union than Scotland. But when a large body of Members were to be given to the metropolis of England—men who, it was to be feared, would not prefer the general interest to the local interest they represented—then the position of Scotland was greatly and disadvantageously altered. It was impossible, he conceived, that a body of Metropolitan Representatives should not act rather in accordance with the wishes of their own constituents, than with a view to the general benefit. They would be fascinated with the love of popularity; and he contended, that the

House ought not to place a large portion of Members in a situation where their virtue and independence would be so much tried. Subserviency to individuals was said to be degrading, but subserviency to an excited and numerous constituency certainly was not less debasing. With all due regard to the Livery of the city of London, he conceived that the exercise of the jurisdiction they had assumed was unconstitutional, and that the judges were incompetent. If it was a mere question as to regulating the supply of turtle, or the state of the markets, he would admit their competency; but the Members of that House were called upon to exercise a discretion on subjects far beyond the grasp of mind for which the Livery of London usually obtained credit. When he saw such an increasing disposition to interfere with, and control the Members of that House, he confessed he could not view with approbation a proposition which would lead to the abstraction of so many Members from the general concerns of the empire; and, as a Scotch Member, he particularly dreaded that Scotland and its interests would not hereafter enjoy that due care which, he admitted, it had hitherto received from a British House of Commons.

Mr. *Cutlar Ferguson* wished to say a few words in reply to the hon. Gentleman who had just sat down, and who had presented himself as a Member for Scotland. That hon. Member apprehended great injury to Scotland, because the metropolis of England was to have half as many Representatives as the whole kingdom of Scotland; but the hon. Member had not the same fears from having forty-four Members representing rotten boroughs in Cornwall. The boroughs in that one county returned, within one, as many Representatives as the whole of Scotland. It was true, that, at the time of the union, Scotland was treated with on a fair and equal footing; but Scotland had then received a smaller portion of Representatives than it was entitled to, because Scotland had been sold for money by that Aristocracy of which the hon. Member was the eulogist. He could not agree with the hon. member for Thetford (Mr. Baring), that any danger was to be apprehended to the landed interest from the description of active and intelligent persons who would be returned by the new boroughs, as he believed that the Representatives of the

landed interest would be equally active and intelligent. The principal objection to giving the Metropolis additional Members was founded on the circumstance, that an hon. member for the City (Mr. Alderman Thompson) had been taken to task, for voting contrary to a promise he had given; and it was presumed, that, as this occurred once, it might occur every day, and with respect to all the Members for the Metropolis. If such things occurred, it was not the fault of the constituency, but of the Members. If a Member pledged himself to pursue a particular line of conduct, it was not a fault in the constituency to insist on his abiding by his pledge. This might happen as well in any other part of the kingdom as in the metropolis, and the objection was not so much to the exercise of the power on the part of the constituents as to the system of pledges. It was no objection whatever, he conceived, to giving additional Members to the metropolis. It was of the greatest possible consequence to these districts of the metropolis, that they should be formed into boroughs, for otherwise they would be deprived altogether of Representation. Such a district as that included in the parishes of Marylebone, St. Pancras, and Paddington, would be left wholly unrepresented. The number of inhabitants in this district was a reason why it should be represented; and he contended, that the larger and broader the basis of Representation was, the purer and more independent the Members would be. It was upon that ground he supported the Bill; and he asked, why was a metropolis, containing population, wealth, intelligence, and riches, not exceeded in the world, to be excluded from its fair share in the Representation? It had been well observed by Mr. Cobbett (who was no mean authority, and was well acquainted with the disposition of the people), in answer to the objection, that the people would be led away, and choose low demagogues; that, as naturally as sparks ascended, the people would prefer a superior to an equal, wherever a trust was to be reposed, and their choice was free. Every man who had seen a contested election, knew the advantage which a man of rank had over a man of no rank; and he was convinced that the metropolitan districts would send no Members to that House but persons of the highest character. Under the present system of Representation, at least one-third

of the population of the metropolis was excluded; and if this part of the Bill, giving the metropolis new Members, was lost, he should say, that it would have been better not to have embarked on the question of Reform at all. The defeat of this part of the Bill would excite a degree of disgust in the minds of a great mass of the people of the country, which the House would hereafter regret having excited. He agreed with those who thought that the Members of that House ought to maintain their independence; and he was equally sure the people would say that they ought to have a House of Commons to act free from all dictation. It was essential, however, to give the vast mass of wealth and population congregated in the metropolis a sufficient Representation. The Representation proposed to be given to it was not at all equal to its wealth and population; but, as there must be a limit to every thing, it was not, surely, too much to give to the metropolis double as many Members as it had, when it was as nothing compared with its present extent—when it had no Pancras, no Marylebone, no Paddington. The fact was, that the share of Representation which this Bill proposed to give to the metropolis, was not at all proportionate to the extent of its wealth and population; and if they had given 100 new Members, instead of ten, to it, the proportion would have been juster. It appeared to him, therefore, absurd to argue that the metropolitan districts were not entitled to the extended Representation which it was proposed to give to them. He (Mr. Ferguson) had been charged with a petition from St. Pancras, setting forth its own claims, on the grounds of its riches, wealth, and population. That parish preferred having one Member to itself, instead of two Members, as proposed; and he agreed with the petitioners. Having two Members to a district gave rise to nothing but a compromise of principle. It made the minority equal to the majority. It would be far better that the country should be divided into districts, and that each district should return one Member. In that case, the sense of the public might be taken, and the opinions of the country would be known to every man.

Mr. John Smith did not intend to depart from the question before the House, which was, whether the district of Finsbury should return two Members. Having lived in that district for twenty years, he

could bear testimony to the wealth, intelligence, and patriotic feeling contained in it—qualities which he could assure the House were not confined to any district of the metropolis. The district of the Tower Hamlets too contained persons of as high character and as great eminence as any in the country. A great number of individuals of wealth, of high character, and of undoubted independence, resided in this district; and some of the most splendid, useful, and extraordinary charities of which the city of London could boast, had had their origin in this district. One very sufficient reason for giving additional Members to the metropolis was, that it would provide a safety-valve, by which the opinions of an immense part of the population would reach the House in a constitutional way. If, when remodelling the Representation, they refused to admit so important a part of the population, it would naturally excite great discontent, and therefore he considered the proposal which had been made as most judicious. The only way to insure the peace and tranquillity of the country was, to treat this million and a-half, who were confined within a ring-fence kindly, and to trust to their feelings. He was confident, that the House would never regret giving those privileges to the metropolitan districts which it was about to extend to societies of not one-tenth their extent. There was no instance of such an immense population within so small a compass; and in his opinion, no part of the Bill showed deeper reflection, or a higher regard for popular feeling, than that which gave to those populous districts constitutional Representatives. One word as to the conduct of the Livery of London. He had heard with indignation the charge made against that body for calling one of its Representatives to account; for he was one of those who thought that all constituencies had such a right, and that the country would have been saved from infinite evil if that right had been exercised more frequently. All the Livery of London had done was, to call upon one of its Representatives to perform his own promise. The constitutional doctrine, which he held, was, that those who chose Members had a right to inquire, condemn, and call upon those Members to explain their conduct; and if the Members did not like this, they had their remedy to retire from the service. He gave his most cordial

assent to that particular part of the Bill which gave to the metropolitan districts an increased share in the Representation.

Mr. *Pringle* said, that it was quite obvious that one of the effects of the Bill would be, to localize the constituency and the Representation all over the kingdom, and in no instance would that be more especially the case than in that of those metropolitan districts, the Members for which would certainly not be Representatives for the country at large. It had been justly remarked, that they were about to give nearly half as many Members to the metropolitan districts as the whole of Scotland possessed, and it was no answer to that statement to say that Cornwall sent to that House within one of as many Members as Scotland. The Members who were sent from the boroughs in Cornwall were not the Representatives of local and particular districts, but Representatives for the country at large, and Scotland always had its share in that close borough Representation. According to the new system, it was plain that the Representation of the metropolis would bear an undue proportion to the Representation of the country at large.

Mr. *Ch. Douglas* thought, that Scotland was entitled to a much greater proportion of Representatives than she already possessed, and he hoped, after what had fallen from the hon. and learned member for Kirkcubright, that he should have his support hereafter for the proposition to give its due share of Representation to Scotland.

Mr. *Hunt* said, that the hon. and learned member for Kirkcubright anticipated, that those districts would return men of rank and wealth. It was very probable that such would be the case, but it was equally probable, that they would not return any Representatives but men of talent. The statement of the writer who had been quoted by the hon. and learned Member might be quite true, but it should be recollected, that the writer in question had written for and against every single subject that he had ever touched upon.

Mr. *Cutlar Ferguson* said, that when he made use of the expression, men of rank, he accompanied it with the remark, they must be also men of talent.

Mr. *Goulburn* said, that after the decision which had been come to last night, it was an understanding that they should not further debate this schedule, and that

was the reason why those who acted with him on that side of the House did not go into any discussion regarding the different places embraced in it.

Lord *Althorp* said, that the same reason had prevented him from taking any part in this discussion. Nothing that had been said respecting the Finsbury district of boroughs required any observations from him.

Question carried.

The next question was, "that Marylebone, including the parishes of St. Marylebone, St. Pancras, and Paddington, Middlesex, stand part of schedule C."

Mr. *Cutlar Ferguson* had promised to state the case of the inhabitants of Pancras, as they had requested him, and he was determined to do so. No cry of "question" should prevent him from discharging his duty. The inhabitants of St. Pancras were of opinion, that they should not be included in Marylebone and Paddington, for, in that case, they would be overwhelmed and borne down by the more numerous constituency of those places. They wished, that their parish should be erected into a separate district, and that one Member should be given to them. To show that they were entitled to a Representative for themselves, they stated, that their parish paid in assessed taxes three times more than Manchester, four times more than Leeds, four times more than Sheffield, nine times more than Devonport, fourteen times more than Wolverhampton, and eighteen times more than Sunderland, to each of which two Members were to be given. They stated further, that there were 10,000 houses in the parish which averaged 40*l.* a-year each, and that the parish was the residence of a wealthy and enlightened, and most respectable population. They asserted, that if their parish should be united to Marylebone and Paddington, which did not pay more taxes than the parish of Pancras did, they would be overwhelmed by the greater population of those two places. These were the grounds on which they rested their claims for a Representative for their parish by itself.

Sir *John Malcolm* concurred with his hon. friend, that it was most important, Members should be allowed a fair hearing at every stage of this discussion; and as allusions had been made in the course of the evening to the members for Cornwall being nearly equal in number to those of

all Scotland, he would quote Mr. Burke in answer, who said, "But can any one assert, that in consequence of this unequal Representation, the interests of Cornwall had ever met with more attention in that House than those of Scotland." With respect to the remarks of the hon. member for Thetford, on the proposed increase of Members for the metropolis, it appeared that he entertained apprehensions that this measure would give the same influence to the population of the metropolis as belonged to that of Paris, which enabled the latter, by popular tumult, to assume a large share in the actual government of that country. In this view he did not concur, and though he was opposed to disfranchisement, he was not averse from enfranchisement.

Lord *Althorp* said, that the hon. and learned Gentleman had stated the grounds on which the parish of Pancras claimed a Member for itself; namely, that the amount of its population was so small in proportion to that of the two districts to which it was to be united, that it would be borne down by their larger constituency. Now, looking at the extent of the parish of Pancras, and seeing the number of voters which it was likely to produce, he did not think it at all probable that they would be overwhelmed by the voters of Marylebone and Paddington. The population of Marylebone was 96,000, and that of Pancras 71,000. It was not at all likely, therefore, that the voters of Pancras would be borne down by the constituency of Marylebone, and for that reason he did not think that Pancras should have a Member for itself.

Question carried.

The Chairman then put the question, "that Lambeth, including the parishes of St. Mary, Lambeth, St. Mary, Newington, Bermondsey, Rotherhithe, and Camberwell, Surrey, stand part of schedule C."

Agreed to.

The next question was, that schedule C stand part of the Bill.

Lord *Milton* said, that he had given notice on Thursday, that he should, in the discussion of the details of schedule C, submit that the boroughs in schedule D be transferred to schedule C. He had since made up his mind to take a different course. He should suffer the clause D to be read, and he should move, by way of amendment, that the word two be inserted in the blank instead of one.

Mr. *Littleton* said, that the noble Lord's Motion went to preclude his bringing forward his proposition respecting the borough of Stoke-upon-Trent, but, nevertheless, he must submit to the House the very peculiar circumstances of that borough. This borough had not been included in the original Reform Bill introduced into the last Parliament; but upon a deputation having been sent, his Majesty's Ministers agreed to give the town one Member. He thought they were entitled to two; the parish was very large, and consisted of a cluster of four towns, containing, in the whole, a population of 53,000 persons. The inhabitants of this very populous district, were principally employed in the manufacture of earthenware and china, the value of the produce of which last year was 1,300,000*l.* Of this sum, only 55,000*l.* was paid for raw material, which was the produce of our own country, and the whole of the remainder was paid in wages. There were 120 considerable manufactories, and the district was regulated by one uniform law regarding rates, and was governed by the same local Act. The trade and population were rapidly increasing; the capital employed was immense, and the articles produced surpassed all others. From their numbers, and from the extensive and important nature of their trade—from the vast capital employed, and the interests involved, he conceived this place to be fully entitled to have two Representatives in that House. If hon. Members would examine into the subject, they would find, that the cotton manufacturers had their interests represented in Parliament by fifteen Members, the colonial interests by seven, and the silk trade by three, whilst the china manufacture was very inadequately represented. The trade of the people of Stoke-upon-Trent was not only large and extensive, but it was on the increase, and in its nature more likely to be permanent, than many which were to be better represented in that House. The population of this place, which, in 1821, was 41,000 persons, was 53,000; thus shewing an increase of thirty-five per cent. It was less than that of only three of the old boroughs—namely, Liverpool, Norwich, and Bristol; it was, however, larger than that of the towns of Newcastle-upon-Tyne, Nottingham, and other important places. The parish of Stoke contributed one-twentieth to the county-rates; and the poor and other rates were very large. He should therefore

move, as an amendment, that the borough of Stoke-upon-Trent be inserted in schedule C.

Sir *J. Wrottesley* would detain the Committee by a very few words. He had been forcibly impressed by some striking facts which were manifest, in comparing schedules C and D. Whilst schedule C contained the towns of Sunderland and Devonport, having a population of 43,000 and 44,000 inhabitants, Stoke-upon-Trent, with a population of 53,000, was included in schedule D. When the House considered this striking discrepancy, he was persuaded, that it would not reject the Motion. It had been said, the population was not condensed into a town, that it was scattered over an extensive space; but the nature of the manufacture required this to be the case. One town, however, that of Burslem, contained 18,000 inhabitants. He would only add, that Stoke was a district of continuous houses, and that it, therefore, came within the principles of the Bill.

Mr. *Edmund Peel* had no hesitation in expressing his approbation of the plan of giving Representatives to populous towns and districts. The statement which had been just made by the hon. member for Staffordshire, afforded a convincing proof that the potteries had a just claim to send two Representatives into that House. When he, therefore, considered the great respectability of the people of Stoke, their commercial importance, and the ingenuity and utility of their manufacture, he was convinced, that they were deserving of a full Representation in that House. Stoke had a greater population than any place in schedule B, and a population superior to most places in schedule C. He would only further observe, that machinery could not be applied to the manufacture of this place, and therefore the trade of Stoke was likely to be permanent.

Lord *Althorp* agreed, that the Staffordshire Potteries were most important to the commerce of the country. If the question were, whether the Potteries should be represented at all, he should entertain no doubt upon which side to vote; but the question was, whether the Representation of the district would be insufficient with one Member, or whether it was fair and right in the Government to give it two Representatives. He would admit, that the amount of the population was very great, but from the information which he

had received, this was not a case of town Representation, but of a district unconnected, although in appearance it might resemble a large town. In omitting Stoke from schedule C, Ministers had, therefore, done what they thought justifiable after due inquiries into the case. He was convinced that, in giving it one Member, it obtained its fair share in the Representation of the country. It was difficult to determine whether one or two Representatives were more proper, but after every inquiry he had made, and after all the consideration he could give the subject, his opinion was in favour of including Stoke in the schedule of one Member.

Lord *Ingestrie* was intimately connected with the district to which his hon. friend had proposed to give two Members. He admitted, that the places in that district were not connected together, yet he was obliged to support the Motion of the hon. member for Staffordshire, on the grounds that the district contained an important and peculiar branch of commerce, and there was no place in the vicinity returning Members by which these interests could be supported. When he considered, that two Representatives were given to Devonport, which would have had the advantage of being represented with Plymouth, on account of its proximity, an advantage the district of Stoke could not possess, he must give his support to the amendment of his hon. friend.

Sir *R. Peel* had already expressed his entire concurrence in the principle that every place to which the franchise was given, should return two Members. He should much rather take twelve places out of schedule D, and give to each of them two Members, than give one each to twenty-four places. He thought it would conduce to the internal peace of towns, if they had two Members. It would prevent the clashing of interests, and remove many causes of dissension. If the motion of the noble Lord were to be, that all the places in the next schedule should have two Members each, that would give too great a preponderance to the manufacturing districts, which he could not agree to, but if the noble Lord's Motion was put into the shape he proposed, he (Sir *R. Peel*) would support it. The word "two" being inserted instead of "one" in the clause, then it would remain for the Committee to select the places which should have two Members. Of the twelve places

to which he (Sir Robert Peel) would consent to give two Members, Stoke was certainly one of the first. Although he did not know why his hon. friend had chosen to take this district out of its place, and discuss it there, he should vote for the Motion. He hoped, that the vote would not be attributed to his Staffordshire partialities. He had already said, as a reason for desiring two Members, that there was less likelihood of acrimony and party feeling in election contests where there were two parties, when each had a chance of returning a Representative, than if the whole struggle was, to return one. He would add another, to be found in the long list of townships, of which he would read the names. The town of Stoke-upon-Trent contained these townships:—Longton and Lane-end, Fenton Calvert, Fenton Vivian, Penkhull and Boothton, Shelton, Hanley, Burslem, with the Vill of Rushton Grange, and the Hamlet of Sneyd, Tunstall Court, Chell, and Oldecott. The very enumeration of those names, was surely sufficient to prove the advantage of having two Members, rather than one.

Mr. *Hodgson* denied, that Stoke had a population double that of other towns that had been alluded to in schedule B. The hon. Gentleman could not have examined the returns, or he would have found, that Stoke had a population of 53,000 souls, Oldham of 50,000, Salford 51,000, and Stockton 52,000. He would not wish to lay down the principle, that particular interests should be represented, independent of population, and, therefore, he thought that one Representative was sufficient, and should oppose the Motion.

Mr. *George Robinson* thought the Motion would much embarrass the Committee when they came to consider schedule D. If it were carried, consistency would require, that Bradford, Wakefield and Dudley, which had manufacturing interests of equal importance, should have the same number of Members, a proposition which the House was not likely to agree to. The hon. Gentleman had made a strong case, but he could not vote for his amendment, because he was sure an equally strong one could be made for Dudley, and the other towns he had mentioned.

Mr. *C. W. Wynn* said, if he could put out of view the intended motion of the noble Lord (Lord Milton), he would agree to the proposition to give two Members to Stoke-upon-Trent, but he should by no

means be prepared to give the same number to the other places enumerated in schedule D.

Lord *Milton* said, that there were several places in schedule D of greater importance than Stoke.

Mr. *Gisborne* thought Stoke-upon-Trent was entitled to two Members, from its being the seat of a peculiar manufacture, and having a greater population than any other place in the schedule.

Mr. *John Stanley* maintained, that Staffordshire was likely to receive more than the due proportion of Members by the Bill as it stood already; certainly it would receive more than either Lancashire or Yorkshire. He could see no cause for this preference, and if the present motion were carried, two Members must be given to several places in Lancashire and Yorkshire, which had now only one. Staffordshire, with a population of only 340,000 persons, had already received six new Members, and would, in all, return sixteen Members to that House, or fifteen if Tamworth were considered in Warwickshire, whilst Lancashire; with a population of 1,021,000 souls, had only fourteen new Representatives, which, added to the number it formerly possessed, would make the whole number twenty-two. Would it be said this was a fair proportion, and could a claim for another Member be justly made on behalf of Staffordshire? If it were conceded, great injustice would be done to other places, or they must receive a considerable increase of Members. The right hon. Gentleman, the member for Tamworth, had said, he should prefer twelve boroughs with two Members each, to twenty-four with one each. The people, he was persuaded, would not approve of that view, and would prefer the elective franchise being dispersed through the kingdom in smaller proportions, to having it given in large masses, and to comparatively few places.

Mr. *Protheroe* would support the Motion, because Stoke-upon-Trent was of more importance than any other town mentioned in schedule D. He did not consider, that in so doing he abandoned the general principle of the Bill.

Mr. *Perceval* thought, that to give Representatives to particular interests, was more advisable than to take population for their basis. Stoke-upon-Trent deserved to be amply represented, and he should vote for the amendment.

Mr. Warburton denied, that a Representation of particular interests was consistent with good government. In forming the corporation or government of a town, the object was, not to represent the interests of the butcher, baker, and other trades, but to select a body of competent persons, without any reference to particular interests. If two Members were to be given to Stoke, why should they not give two to Ashton-under-Lyne and to Chelsea? [A Member: "What will you do with Chelsea?"] That was not a question for him to answer. If it rested with him, he would give Chelsea two Members, though he did not expect to be one of them. He was not the framer of the Bill. He believed, and he hoped, it would effect great good, and on that account he was willing to waive all minor objects, although he had many objections to make to some of its details.

Lord John Russell said, that had the hon. Member (Mr. Perceval) attended to the explanations that had been given, he would have discovered, that the principles of the measure were of a mixed nature, population forming only a part, and wealth and prosperity being the prevailing requisites. The claim that had been made for Stoke-upon-Trent was not on account of its population, but on account of its peculiar manufacture and great trade; but he agreed with his hon. friend, the member for Bridport, that they were bound to legislate for the general interest of the country, which, in the mode of enfranchisement, was to be preferred to the particular interests of certain bodies. If the proposition of his hon. friend were acceded to, he thought it would have the effect of raising jealousies. With respect to what the right hon. Baronet had stated, he begged to say a few words as to the proposition of having twelve places returning two Members each. Such a plan being a variation from the original one—a substitution of another plan of enfranchisement—he must decline it. When that proposition was made by his noble friend (Lord Milton), he should state his reasons against it. He begged to observe, that the right hon. Baronet had signified an intention of supporting it, and from his known hostility to the Bill, his support might be viewed with suspicion.

Sir R. Peel said, his wish was to render the Bill as perfect as possible, and that he had invariably spoken in favour of the plan of returning two Members instead of one,

whenever the subject was under discussion. It was known to many hon. Members, that he intended to oppose the Motion of the noble Lord, but he should support it as far as twelve boroughs out of the twenty-four went, preferring, as he did, to see twelve places with two Representatives each, to twenty-four towns with one each.

Lord John Russell considered it essential to carry the Bill into effect, according to its original principles; and the right hon. Baronet had expressed a desire to see certain towns enfranchised differently from what it was proposed they should by the schedule.

Sir R. Peel contended, that the principles of the Bill would not be departed from, by giving to twelve of the chief towns in schedule D two Members, instead of the twenty-four towns one Member each.

Lord Stanley felt himself bound to vote for giving an additional Member to the Potteries, although he regretted, in doing so, that he should be opposed to his Majesty's Ministers on a particular point of the details of the Bill, which, in general, he viewed with much satisfaction.

Mr. John Wood said, he preferred one Member being given to a place rather than two, because in that case no compromise of political principle could arise. With respect to Stoke-upon-Trent having two Members, he thought no case had been made out. If they had a Member to spare, he ought to be given to Ashton-under-Lyne, which had a population of 34,000 souls. He considered, besides, that Staffordshire had a greater proportion of Members than Lancashire. He should, therefore, oppose the amendment.

Mr. Littleton would merely remark, that Stoke-upon-Trent contained manufactures, the joint capital of which exceeded 1,300,000*l.* and he believed, no town in the empire had a more wealthy manufacturing population.

The Committee divided. Ayes 145; Noes 246—Majority 101.

Original Motion agreed to, and the first part of the 3rd clause as amended, was ordered to stand part of the Bill.

The next question was on the latter part of the 3rd clause as follows:—"And that each of the principal places named in the first column of schedule D be a borough, and that each of the said last mentioned boroughs shall, after the present Parliament, return (blank) Member. The

question the Chairman said he had to put was, that the blank be filled up with the word "one."

Lord *Milton* said, that the period was come for the motion of which he had given notice. He felt it due to himself, and to the country, to state, that he should make this Motion on grounds of great importance, but, before going further, he should also state, for his own sake, as well as the sake of others, that he was actuated in the course he should pursue by no hostility to the Bill, nor by any want of confidence in the Ministers, with whom he had been so long united in the bonds of private friendship, the best security for public confidence. It appeared, however, to him, that in their proposal of new electoral bodies, which should return only one Member, they were departing from the ancient principles of the Constitution of the country. He thought that every part of this Bill ought to be, as far as possible, grounded on ancient principles, and he also thought, that, in its general principles, it was so grounded, inasmuch as it went upon the constitutional maxim, that Representation and taxation should go together. But he also found, that the principle of the Constitution was almost universally to give, at least, two Representatives to every place, with so very few exceptions as only to prove this rule. The exceptions were but five, one of which was a Welsh borough, and, perhaps, not to be taken into the account; and the only four places in England returning one Member, were Abingdon, Banbury, Bewdley, and Higham Ferrers. It was odd, too, that every one of them owed their origin to a particular period of our history, and one which Englishmen never referred to, as remarkable either for wisdom, or any other great quality in the Government of the country—the reign of Queen Mary. The hon. member for Preston (Mr. J. Wood) was friendly to the system, because, he said, whenever there were two Members, there was always a sacrifice of public principle. That might be the case, but there were other consequences which were of importance to the peace and tranquillity of the country. These compromises led to the avoidance of contests, and, as he thought, would always lead to a more accurate Representation of the country, than when each place had but one Member. If every election were to be conducted on pure prin-

ciples, without reference to private condition or private favour, then, perhaps, there could be no doubt of the propriety of acting on his noble friend's principles. But, in the first place, the minority ought to have some Representatives, and the minority out of doors should have a minority in the House. Let it not be imagined, that he arraigned the previous parts of this Bill which had been passed, but give him leave to say, that, if these boroughs which were disfranchised, gave an opportunity for the expression of the opinion of the minority of the people, it became, *a fortiori*, now necessary, that there should be Representatives of that minority in the House. Suppose, that, in a borough with one Member, there were 100 voters, and in a contest they were divided, were forty-nine on one side, and fifty on the other, thus one individual would engross the whole Representation of this borough; and he asked, would that be a fair Representation? Supposing, also, that every elective body in the kingdom returned but one Member, and that any particular opinion was prevalent among the people, the necessary consequence would be, that the minority would be totally excluded from the Representation. He had been, for the greater part of his life, in minorities, with his friends about him, and he hoped, that he and they would not forget the importance of minorities finding their way into the House, and on that ground also he should object to single Representation. He wished to know from his friends on the Treasury bench, whether they believed, that, with their schedule B, the arrangement they had made could possibly be final. Would Blackburn, and Bolton, and Brighthelmstone, be satisfied with one Member, while Knaresborough, and Malton, and Calne, had two? Would the large towns in Staffordshire be satisfied to see Leominster and Bridgnorth, in their neighbouring counties, with two Members? No, it was impossible they could be satisfied, if Ministers did not depart from schedule D. He was willing to give all the towns in schedule D two Members, for they were not there as an assembly of delegates; and the Members for Stoke-upon-Trent would not be in the House merely to serve the manufacture of china, but for the general interests of the empire. If he were asked why he gave Members to Manchester or Birmingham,

it was not because of their weaving or their iron works, but because there were assembled in them vast masses of people. He would also wish to go where public opinion was vigorous; and, if he were ready to give Representatives to Marylebone, and the Tower Hamlets, and Greenwich, and Brighton, it was because large masses of population and wealth were assembled in those places, and not because mere local interests ought to influence their Members. Indeed, he should be averse from mere peculiar interests being represented, for he could say, from experience, that, let these parties once get what they wanted to serve their own ends, no more obsequious and more humble voters for the Government could be found. He, therefore, could not help seeing in this schedule, the introduction of a principle which was dangerous to tranquillity, and which was calculated to breed discontent throughout the country. In his belief, it would be the means of throwing down the apple of discord among all classes in the community. He felt exhausted, but he rose to perform a painful duty, in thus expressing his opinions, and did so the more boldly, because he wished to support the present Bill *totis viribus*. The Government said, they went on the principle of equal Representation, but he saw nothing of it. Brighton, and Bradford, were to have only one Member. He could only see in these schedules the introduction of principles mischievous in their effects, and which could only tend to create invidious comparisons. He was satisfied *a priori*, that the returning of one Member by these towns, could only lead to discord; but, since he came to London, he had had interviews with many persons from the towns proposed to be included in the schedule, and they had told him, that all parties had declared they had rather have no Representative than only one. He believed it, for in these towns, the parties were not like those in that House; they each had their local democracy and aristocracy, and every election would bring these parties into collision. The noble Lord moved, that the word "two" be substituted for the word "one," in the part of the clause relating to schedule D.

Sir Francis Burdett was desirous of saying a few words, more particularly applied to the high principle upon which the noble Lord had acted. In most instances,

men would be biassed with respect to their best interests, but he was so strongly impressed with a belief of the noble Lord's high integrity, that his opinion was, the noble Lord was more likely to act contrary to his interest, than in support of it. The common maxim was, that a man was always a bad and partial judge in his own cause, but he should always be willing to suffer the noble Lord to be judge, in matters of interest relating to himself. But in many instances, the noble Lord might push the principle of impartiality to an extremity which became mischievous. On the question then before the Committee, he differed from the noble Lord, and agreed with the hon. member for Preston, that it was most desirable to avoid double Representation. Giving Representation to the minority of a place, was defeating the effect which the wishes of a majority should always produce. The noble Lord said, that they should be represented, otherwise, disputes and dissatisfaction must inevitably occur among the electoral bodies; but why should they neutralize the wishes of a majority? According to that argument, Representation was useless. The business of a Representative was, to collect the sense of a majority of his constituents, and act upon it. In that sense, one Member was more valuable than two. If he was to give a particular opinion, which he did not wish to do, because he had confidence in those who had honestly brought forward the measure, he should say, avoid as much as possible double Representation. The noble Lord's proposition seemed to proceed from a wish, that the present measure of Reform should be permanent and final, but that was absolutely impossible, and incompatible with the conditions to which the Divine will had unalterably subjected all human affairs. He did not wish to recommend any opinion of his own, but he would rather say, that all boroughs should have one Representative, because, in most cases, a double Representation was no Representation at all. The noble Lord said, they ought to make the measure perfect, but the noble Lord recommended that which it was impossible to effect. Perfection could not be expected; it belonged to the Divinity. The Bill, perhaps, was the best measure, under all the circumstances, the House could then devise. It might not be perfect, but the Bill would give satisfaction to the country;

and, being the commencement of a better system, Parliament hereafter might improve it. He wished to impress upon Gentlemen who professed to be friendly to the Bill, that they should not persist in pressing upon his Majesty's Ministers who were honestly doing their duty, those alterations which could only endanger the success of the Bill. A right hon. Baronet had said, he had felt he could carry on no Government without Parliamentary Reform, but he had never had sufficient fortitude, or sufficient wisdom, to attempt giving a Reform to the country. The question was, undoubtedly, one of great difficulty, and he would say, that those who wished to support Reform in the Representation, ought not to throw any obstacles in the way of Ministers, who were honestly and conscientiously endeavouring to provide a remedy for the evil which had been so long the subject of general complaint. There might be some deviations from principle in the Bill, but it was impossible to avoid them even in matters of science. For example, in navigation, allowance must be made for variations of the needle. It would be an advantage to diminish the numbers of the House, which he considered excessive at present. A system of fair Representation, required no such local expedients as that mentioned by the noble Lord. Different Members might feel disposed to support different local and partial interests, but it was impossible they could succeed, without manifest injury to the public welfare. When there was a question of that, individual views must be given up. With reference to the influence of the people over their Representatives, which had of late been so frequently referred to, he wished to say, that he did not blame the hon. Alderman (Alderman Thompson) for the vote he gave in the case of Appleby; he voted, no doubt, from a conviction of what was right and just, but still his vote went to endanger the whole measure; and, therefore, his constituents, who had sent him to the House to support it, were right in asking for an explanation. In human affairs, it was impossible ever to come to useful general results, unless particular points were yielded to the general interests. The supporters of this measure were said to come to that House pledged, but were those exempt from pledges who sat by nomination? Would they not consider it dishonourable to retain their seats,

if they found that they must oppose the views of their patrons? All were pledged, in some measure, to their constituents; and the popular Members, it was true, were liable to be called to account by their constituents; but the existing excitement, he had no doubt, would die away altogether after the passing of the Reform Bill, when the public generally would acquiesce in the good sense and intelligence of Parliament. He trusted even, the result of this measure hereafter would be, in a great degree, to beget so much confidence in the House of Commons, as to do away with the necessity of petitioning. The business of the House would thus be expedited, and there would no longer be occasion to fear the excitement produced by public meetings. Much had been said about giving pledges; now, if they looked to the rolls of Parliament in ancient times, they would see, that Members held themselves responsible to their constituents, and frequently refused to assent to any new matter of importance, until they had an opportunity of consulting them. On the whole, he did not believe, that double Representation would be attended with the advantages which the noble member for Northamptonshire anticipated, but, at all events, it could not be deemed of that paramount importance, which would justify the noble Lord in pressing his motion to a division.

Mr. *Hunt* confessed, that he had been a disciple of the hon. Baronet for a great number of years, during which the hon. Baronet's opinions had undergone a few variations undeniably; but he could remember none so remarkable as that which the House had witnessed in his particular person that evening. The hon. Baronet, it was apparent, had shown himself the best thick-and-thin supporter of Ministers, that the most zealous amongst them could possibly have desired. In his opinion, the noble Lord's arguments were well deserving of the most serious attention, and he certainly felt himself bound to support his proposition, which, as far he could judge, was by no means calculated to destroy the measure by which Government meant to abide. The hon. Baronet, it would be remembered, had supported with all his might the Ministry of Mr. Canning, who declared himself adverse to all kinds of Reform, no matter what shape it assumed, and yet he now came forward to lend his aid in favour of

this Bill, as the very best that true statesmanship could devise. The present Bill was, then, to have all the support which it was in the hon. Baronet's power to render it, although it embraced neither short Parliaments nor Universal Suffrage, which he (Mr. Hunt) and the hon. Baronet had so long advocated in common. Truly, the hon. Baronet had given up not a little for the sake of unanimity. Much had been said on the subject of pledges, but he "would rather be a dog and bay the moon," than come into that House with shackles about his arms, like the members for the City of London. He would at once resign his seat if he could not concur with his constituents; but as to their calling him to account, forsooth, he would take good care, that the first time of their doing so should also be the last. On the question of giving Members to populous places, he voted with Ministers, merely because their proposition came nearer to his own principles than any other which had hitherto been submitted; and on the other details of the Bill, he had stated his sentiments frankly and fairly, in spite of the taunts, not only of the House itself, but of the whole newspaper press in the country. It appeared to him, that Representation should go hand in hand with taxation to be constitutional. How did this Bill approach that principle? The income of 1,000,000 of voters included in the Bill might amount to about 150,000,000*l.*, or 150*l.* each, while the income of the 7,000,000 excluded, at 12*s.* a week, would be 217,000,000*l.* Why, this was nearly as bad as no Representation. He would now add, that in the event of the passing of this Bill, the Table would be forthwith crowded with petitions for a further extension of the suffrage.

Mr. *Strickland* said, he rose to support the amendment of the noble Lord, although not on the abstract principles which the noble Lord himself had stated as the grounds of his proposition. He would support the proposition of the noble Lord, because it was the only chance of adding a few more Members to that county with which he was more particularly connected. Long before he had a seat in that House, he was of opinion, that no measure of Reform would be final if we excluded from Representation such towns as Bradford, Huddersfield, and Wakefield, and admitted to it such towns as Northallerton and Ripon. It was said, that there had been

such a change of the balance of Members from the south to the north, as would give the preponderance to the latter. Those who used that argument forgot, that Yorkshire, with all its industry, all its wealth, and its population of 1,250,000, had only gained two additional Members, whilst Staffordshire, with only 315,000, gained six, Yorkshire having thirty, and Staffordshire fifteen. According to the proportion which ought to exist between the two counties, when Staffordshire had fifteen Members, Yorkshire ought to have sixty. He contended, that it was a shallow principle, to maintain that there was any hostile difference between agriculture and commerce: for where could the wool-grower dispose of his commodity if he did not find a purchaser in the manufacturer? It was absurd, then, to suppose that these new Members would give a preponderance to the commercial interest, which would be destructive of the agricultural interest. On these general principles he should support the amendment of the noble Lord, the member for Northamptonshire.

Lord *Morpeth* said, he concurred in the general principle of his noble friend (Lord Milton), that a Representation by two Members was preferable to one, and he readily admitted the anomaly that must arise from giving only one to such a place as Halifax, while many small towns had two. Many most respectable men among his constituents approved of his noble friend's plan, and he would therefore state a few reasons why he should vote against it. He believed the main object of the Bill proposed by Ministers was, to establish a balance in the Representation between the agricultural and manufacturing interests. Though these great interests might not in reality be different, yet, being generally thought so, they were obliged to take things as they found them, and legislate accordingly. Though it was possible, that if two Members each were given to the places in schedule D, the two might be selected from the landed interests of the neighbourhood, it was also possible, that they might be chosen from the manufacturing interest. If twenty-six Members were thus added, it might, by some, be taken hold of as a departure from that principle of equilibrium which was professed to be laid down. The right hon. Baronet, for instance, the member for Tamworth (Sir R. Peel), might then have

some occasion for saying, that the north was profusely enriched with Members, while the south was ruthlessly despoiled. He thought it better, therefore, though casting a longing, lingering look behind, to vote against the amendment of his noble friend.

Sir R. Peel said, the hon. Member who spoke last but one, denounced the shallow doctrine of preserving a balance between the agricultural and the manufacturing interests. It might be shallow in principle, but yet it was impossible to convince one of those interests, that it would be wise to commit to the other the entire control over it. Each party would always naturally desire to be protected by its own Representatives. The hon. Member talked of the interests of the wool-grower and the cloth-manufacturer being the same. This might be all true and very wise, but it was most extraordinary to hear it come from the very same hon. Gentleman who complained that Yorkshire was not sufficiently represented, and who said, that his motive for supporting the proposition of the noble Lord was, to give more Representatives to the great manufacturing towns of Yorkshire. Let the hon. Gentleman apply his own principle. If the interests of the wool-grower and of the cloth-manufacturer were the same, why not trust the agriculturist with the care of the cloth-manufacture; and still further, if the principle was good for anything, why not commit to the wisdom and management of Staffordshire, the interests of Yorkshire? He should prefer not being called upon to vote at all upon the question. If he was, however, so called upon—if the noble Lord pressed the question to a division—he would support the amendment; because it affirmed an abstract proposition of which he approved—he meant the principle of double Representation. At the same time he owned, that if he thought the noble Lord likely to carry his amendment, he should be afraid to vote with him, because he should then expect that the same majority would transfer all the towns in schedule D to schedule C. In the abstract, he agreed that it would be better to have two Members for each place, and, looking at the whole as an abstract question, he was disposed to vote for the amendment of the noble Lord, reserving to himself the power of saying to what number of boroughs this should be extended—that is, of saying whether twelve

or twenty-four boroughs should be included in the schedule. He owned he was surprised at the argument of the hon. Baronet in favour of single Representation; taking, as he did, the principle, that the minority should not be represented at all. To that he was prepared to give his decided dissent. Would it be wise or politic to say, that where any great difference of opinion existed, on, perhaps, a most important public question, that the minority—which might be a very large minority—should be wholly excluded from all share in the Representation? In times of peace and quiet, there might be little danger of such a principle; but times of storm and difficulty might arise. Would the hon. Baronet's principle be then applicable? It reminded him of that beautiful simile of Horace—

—“Cum pace delabentis Etruscum
“In mare;”

but the time might come,

—“Cum fera deluvies quietos
“Irritat amnes.”

Yes, great questions would arise, with regard to peace or war, questions involving foreign and domestic policy, and in which there might be a collision between these two interests. Would it, then, be wise to adopt a system which should give either to the war party or to the peace party a predominant influence? It was very fairly said, in reference to the argument of the hon. Baronet, that it went to cut up by the roots the system by which the majority was represented in that House. For instance, if there should be 501 on one side of the question, and 499 on the other, the proposition of the hon. Baronet would prevent the voice of the minority from being heard. Assuredly, for all the purposes of petition and remonstrance, this was one of the most extraordinary propositions ever yet submitted to the adoption of the British Legislature. The principle which he had heard urged over and over again was, that taxation ought to be co-existent with Representation; and therefore it was, that, in order to secure Representation to the minority, two Members were selected, for it could not be done by one. The principle of giving one Member instead of two was a novelty, and as such ought to be avoided. Gratuitous novelties tended to unsettle men's minds, and engender and foster a desire for innovation. It was because he wished to avoid, as much as possible, the introduction of

novelties, and preferred two Members to one, that he should now vote for the motion of the noble Lord, whatever objection he might have to it in other respects. He wished the House to understand, that he voted for it upon that abstract principle.

Lord *Althorp* admitted, that the exclusion of the minority from a share in the Representation would be unfair and unconstitutional. He admitted, as a general proposition, that two Members were better than one, but the question was in this case, would the evils that had been predicted, arise from having the one Member instead of two in the cases of those twenty-six boroughs? Let it be recollected, that the largest number of places would be represented by two instead of one, and in that way the minority in the kingdom would be represented. But could it be supposed that public opinion would ever be so united, as that it would be the same in every part of the kingdom? This was a circumstance which could not be expected, or, if it should happen, the minority in the country would be so very small, that no danger could occur from its not being represented in those places. The argument of the hon. member for Yorkshire had been so fully answered by the right hon. Baronet, that it was not necessary to go into it. He did not admit, that the balance between agriculture and commerce was destroyed. Looking at the manner in which the small boroughs had been represented, he did not think, that the power of the landed interest was lessened in any degree to create alarm; but, as had been said, if they considered the sort of agreement that had been made as to the principle of the Bill, he thought it would be considered as a breach of faith to the agriculturists, to add twenty-six to the commercial towns, and on these grounds he would oppose the motion of his noble friend.

Mr. *Wason* supported the proposition of the noble Lord. The very first borough on the list in schedule D, contained 2,763 10l. houses, and he found that eighteen boroughs which were allowed to return two Members each, positively contained only 2,749 10l. houses altogether. Did hon. Gentlemen believe, that if a Bill with such anomalies passed, it would not be again discussed in succeeding Parliaments? He had no doubt it would, and thinking so, should vote for the

amendment of the noble Lord, because it proposed to give two Members to each of the boroughs in schedule D.

Lord *Milton* said, the number of additional Members to be returned, if his motion was carried, above the present number of the House, would not be more than eight or ten.

Lord *John Russell* begged to assure his noble friend, they would be exactly four.

The Committee divided on the Amendment:—Ayes 102; Noes 230—Majority 128.

The House resumed; the Committee to sit again the next day.

HOUSE OF LORDS,

Friday, August 5, 1831.

MINUTES.] Bills. Committed; the Church Building Act Amendment. Read a third time; the Payment of Wages in Goods Repeal; and the Payment of Wages in Money; the Tobacco Growth Prohibition (Ireland). Petitions presented. By the Marquis of LANSDOWN, from the Clergy, Merchants, and other Inhabitants of the town of Manchester, for limiting the hours of Employment for young Children in Manufactories; from Stockport, for the amelioration of the Penal Code.

AFFAIRS OF PORTUGAL.] The Earl of *Aberdeen* had been desirous, for some time past, of calling the attention of their Lordships to certain matters, which he deemed of paramount importance: he referred, not only to the outrages which had been committed against the British flag, and against the property of English Merchants in the Western Islands, but also to the projects and to preparations now on foot, which might compromise deeply the honour and good faith of the country, as well as the safety of the property of its subjects. There was, perhaps, no spot in the whole world more necessary for the security of British commerce than the Azores. Vessels homeward bound from the westward, touched at them, and, therefore, for some ages past, we had had a strong interest in their being in friendly hands. It was obvious, that if those islands fell into lawless hands, it was quite impossible to calculate the evils which might fall upon British commerce. When he had last taken the liberty of mentioning this subject to the House, the noble Earl at the head of the Government had stated, that he knew nothing about the political condition of those islands which should excite alarm. He hoped that the noble Earl had, since that time, made inquiries, which had led to his

possession of some information respecting their present state; and if the noble Earl had, he trusted that the noble Earl would not object to placing that information on the Table of their Lordships' House. Not long ago, an infraction of the treaty existing between this country and Portugal, had formed a ground of complaint on our part, against the government of Portugal, and the consequence was, that when our complaints were not noticed, reparation was exacted from the Portuguese government, by the British Squadron. He should like their Lordships to consider how we had fared when we made the same demand from our liberal and constitutional friends? Before he described the events which had recently taken place, and of which he complained, he would beg leave to remind their Lordships, that the island of Terceira, with the rest of the Azores, on the election of Don Miguel to the throne of Portugal, and on his proclamation, that he had assumed the reins of government, acquiesced at once, and unanimously, in the decision of the Cortes of Portugal. Shortly afterwards, the garrison of Angra revolted against its governor, and took possession of the citadel. The inhabitants of the island of Terceira, who were all unarmed, fell immediately under subjection, and had since that time remained under the government, and the unprecedented tyranny, of the military force stationed in their country. Every account which had been received from the commanders of his Majesty's ships on that station—every account which had been received from the residents in that island—every account which had been received from our own Consul—concurred in describing the inhabitants of Terceira as attached to the government now established in Portugal, and as suffering under the oppression of the military government now established in Terceira. He must add, that it was now about two years since Don Pedro, the Emperor of the Brazils, thought proper to create what he was pleased to call a Regency of Portugal, of which the seat was to be at Terceira. This Regency, however, preferred to establish itself at London; but was at last, by positive orders received from the Brazils, compelled to transfer itself to Terceira. There the members of the Regency remained quiet, so long as they received their monthly stipend from the Emperor of the Brazils, being nothing else than the

creatures of his will, and dependent on his bounty. But the supplies from that quarter having at last ceased, and the Emperor no longer having either the disposition or the power to grant them further aid, the garrison found it necessary to adopt some means for their subsistence, and nothing but plunder suggested itself to their imagination. They, therefore, determined to undertake an expedition against some of the neighbouring islands. To effect this purpose, on the 9th of April, an embargo was laid upon all the British vessels at that time at Terceira. After an attempt had been made to engage those vessels in the service of the Regency, and after a refusal had been given by the masters, declaring, that they would have nothing to do with the expedition, the masters were informed, that such being the case, their vessels would be taken possession of by the military, and employed in the expedition. Accordingly, on the 10th of April, the *Coquette*, of London, was forcibly taken possession of by soldiers, the master and crew having quitted possession of the vessel, leaving the British flag flying, which shortly afterwards was torn down. Four or five other British vessels, seeing this act of outrage, entered into terms with the Regency, and under a protest engaged in its service. The expedition set sail on the 17th of April, and took possession of the island of St. George, and also of another island. There, as he was informed, the most horrible atrocities were committed, and men, women, and children, were put to death in cold blood. Be that as it might, it was quite clear, from what subsequently happened, that the expedition had no military object in view, it executed none, and was planned for nothing else but plunder. This expedition, he must inform their Lordships, captured several English vessels; and not only English vessels, but also vessels of other nations. With the British flag flying at the mast-head, vessels filled with Portuguese soldiers had captured, not only two defenceless islands, but also several merchants, who were on their passage across the high seas. If this was not piracy, it was, at least, something very closely approaching to it. What right had a regency, appointed by the Emperor of Brazil, and sitting in a province to which his authority did not extend, to act in this extraordinary manner? These proceedings, too, be it remarked, were carried on

in the presence of a British force. The *Galatea* was for weeks at the Azores, and notwithstanding the complaints of the British merchants, the Captain of that frigate did not feel himself justified by his instructions in granting protection to the King's subjects. At the same time, a French squadron was blockading the bay, and made captures of all vessels proceeding to the port of Lisbon. The Portuguese government hired two British vessels to inform the vessels approaching Lisbon of that blockade. Their Lordships might rest assured, that every vessel captured by the French squadron in the bay of Lisbon was insured in London, and yet what was it that the British Consul had done? Why he said distinctly, "No; you must not send out British vessels to give notice of the French blockade, for that would be an invasion of our neutrality." Now, could there be a more scandalous act of injustice, than to allow British vessels to transfer soldiers from one island to another, for the purpose of capturing the subjects of our ally, and at the same time to prevent that same ally from employing other British vessels to convey the intelligence that his ports were blockaded by a hostile squadron—intelligence, too, that was calculated to prevent the capture of British vessels, or of vessels insured for British money? He wished to show their Lordships that these proceedings in the Western Islands ought to be considered of great importance, from circumstances which had happened in this country. It was evident, beyond all denial, that Don Pedro, who was at present sojourning among us, was engaged in projects for the invasion, and, if possible, for the conquest, of Portugal. His imperial Majesty had, it was notorious, assembled a body of merchants in the metropolis, for the purpose of obtaining their consent to a loan which he proposed; and, to effect this purpose, had offered, as a security, to grant them the revenues of Portugal. As yet, the gullibility of our capitalists, who were generally ready enough to lend themselves to any such scheme, and always engaged in one loan or another, had not swallowed the bait which had been held out to them; but in this country, there was no project so desperate but found some persons to foster and support it. He believed, that already, a certain part of the amount which Don Pedro wanted had been obtained, and he knew that negotiations were now going on

for the hiring of vessels in the Thames, and even for the employment of British officers in conducting an expedition against Portugal. Now, if any respect were to be paid to the law of nations, which ought not to be violated, or to the law of the land, which, on this point was express, and ought to be observed, was it to be tolerated that Government should permit proceedings like these? If they were permitted, they must deprive us of that character for good faith and honour which we had hitherto deserved, and must lead to our forfeiting that respect among nations which had hitherto been our proudest boast. When Don Pedro was Emperor of the Brazils, undoubtedly, we admitted that he had a fair right to make war against his brother, as the guardian of his daughter's rights, and as the assertor of her claims. We admitted that right, and thought it our duty, in such a war, to be neutral. That was the policy which we had all along observed, from the commencement of this unfortunate quarrel. The Emperor, Don Pedro, after various attempts—which were all underhand attacks against Portugal—found, at length, that his case was desperate; and then, in the beginning of last year, made an official declaration, that he would no longer think of hostilities against his brother, but would endeavour to settle their differences by conciliation. For that object, at least professedly, he sent an Ambassador to this country. He began, like some of his predecessors from the Brazils, by endeavouring to raise a loan in this country to attack Portugal. He failed, however, in that object, and then he was disavowed by Don Pedro. The last communication which he had received, whilst in office, from Don Pedro, was a communication of his desire to settle all differences between himself and his brother by means of conciliation. He would not then pretend to enter into an explanation of what those means were—suffice it to say, that they came to nothing. They only afforded a remarkable example of the inconsistency and want of good faith in Don Pedro, whose expulsion from the Brazils was owing to an unanimous feeling on the part of the people, that he was unworthy to be their ruler. That feeling he attributed to the arbitrary and oppressive conduct which the Emperor had pursued. Certain it was, that no human being, civil or military, thought of raising a hand in

his defence, and after a fruitless appeal to the military, he was obliged to abandon his children, leaving them at the mercy of his enemies, in a situation which it was painful even to think of. After being driven from the Brazils, Don Pedro was come hither to wage a private war against his brother, by revolutionary means, and, as a first step, he thought it necessary to get money. There was no prince on earth, who had less title to the countenance of the British Government, than this same Don Pedro. If the noble Earl opposite would only refer to the documents which had been filed in the Foreign Office during the last four years, he would see the correctness of this assertion; for no power had ever displayed so offensive and so incredible a spirit of hostility to the commerce of Great Britain as the ex-Emperor of the Brazils. Talk of injury and insult! By him insult was added to every injury, for every injury was justified, and every demand of redress was refused. At last it was found necessary, from the open robbery and spoliation to which Don Pedro resorted, that the Admiralty should give directions to make reprisals upon him, if certain conditions were not acceded to. These conditions, when a squadron was sent out to enforce them, were promptly acceded to. He had not thought it necessary to insert that despatch in all the newspapers, much less to mention it in the Speech from the Throne; for he did not wish to humiliate Don Pedro, his principal object being to protect British commerce. He had, however, to complain, that the Convention, as he was informed, which was then entered into, though signed, was still unexecuted; and he firmly believed, that if the noble Lords opposite performed their duty, they would have to follow up the example of the late Government, and deal with Pedro 2nd as it had dealt with Pedro 1st. The non-execution of the Convention was a consideration of some importance; but hitherto the House and the country had heard nothing of it. Another matter, which grew out of these transactions, and not less important, was the relation which existed between Portugal and the Brazils. The sentiments of the late sovereign of the Brazils, regarding this relation, must be known to his Majesty's Government, and it must likewise be known to them, that the sentiments of the present sovereign of that country, or rather of his guardians,

were diametrically opposite to those of the late sovereign. For, whatever might be the real cause of Don Pedro's expulsion from the Brazils, the proximate cause most undoubtedly was, his breach of the pledge which he had given to his Brazilian subjects, not to interfere any more in the affairs of Portugal. The universality of a feeling in the Brazils, hostile to the continuance of all connection with Portugal, ought to alter our situation with regard to the two branches of the royal family of Braganza. There were preparations now making for the sailing of an expedition against Portugal. He did not understand that the expedition was to sail direct from England; he believed, that it was to sail, in the first instance, to Terceira, and that it was then to sail from Terceira to Portugal. These preparations, if continued, must do injury to our interests in every part of the world, and must add to the difficulties hanging over Europe, and which would continue to hang, so long as Belgium and Portugal remained in their present situation of unsettled sovereignty, and exclusion from the great European system. The situation of Portugal was, indeed, at this moment more pitiful than it had ever been before. He was sure that all their Lordships would recollect the transactions which had recently taken place in the Tagus. He could not trust himself to speak of them as he felt, but there was no man who had a particle of English feeling in his heart, that did not share with him in his sorrow and indignation. It was quite impossible, even that the noble Earl should not share in such feelings. In the conduct of the French force before Lisbon, he saw no humiliation to Portugal—it was England only that was degraded. He lamented, that a course of policy should be pursued, which he regarded as at once imbecile and disgraceful. England ought to protect Portugal from injury, insult, and a wanton invasion. In moving for certain papers, and in endeavouring to gain information, he wished it to be distinctly understood, that he was not actuated by a spirit of hostility to the Government. He hoped, however, that the noble Earl opposite would give him leave to ask one question. He would ask the noble Earl to imagine, for a moment, that these events had taken place during the reign of Charles 10th. If that Most Christian King had gone to his Chambers, and made a speech, and

if, from that speech, the people of England had first learned, that the white flag was floating either upon or under, no matter which, the walls of Lisbon, what would not their Lordships have heard in that House upon such an occurrence? Would not those walls have echoed with cries of the national degradation and dishonour, to which Ministers had exposed the country? Was it quite certain, that they would have heard nothing about an impeachment? He had said, on a former occasion, that, after what had fallen from the noble Lord, he should not persevere in moving for the production of those papers which were calculated to explain the progress of these transactions; but he was astounded that the noble Earl had not come down himself, and laid those papers upon the Table. So long as negotiations were pending, he had asked no question regarding them; but, when war put an end to negotiation, then was the time for his Majesty's Ministers to show what had been done to prevent war. There was a parallel case to the present in the invasion of Spain. No doubt efforts were made by the British Government to prevent that invasion; but, when those efforts proved unsuccessful, what had Mr. Canning done? He laid before Parliament an account of the efforts which he had made, and of the causes which led to his failure. That was the very course which Ministers ought to have pursued in this instance, for the case of the French invasion of Spain was weak to the case of the French invasion of Portugal. A new negotiation might have been entered into since the triumph of the French was completed, just as a negotiation had taken place after the invasion of Spain, to get the French army out of it. When the noble Earl opposite had reminded him of his responsibility in enforcing such demands, he had acquiesced at once in the propriety of withdrawing them. At the same time, he must beg leave to warn the noble Earl, that, if there was some responsibility in enforcing, there was also some responsibility in refusing a demand for information. Threatened, as Portugal was at present, by a French force in the Tagus—threatened as it was by the preparations which were making here for the invasion of its territory—threatened, too, as it had been by British vessels engaged in hostile attacks upon its colonies, it was quite impossible, that he could neglect his

duty, which required him to call most solemnly the attention of the noble Earl to this question. He must call upon the noble Earl to review again the long series of treaties which existed between England and Portugal. The noble Earl would perhaps say, that he was acquainted with those treaties, and acknowledged their obligation. He had great difficulty in crediting such an assertion. If the noble Earl had been really impressed with the full weight of those treaties, the noble Earl could not have acted as he recently had acted. Let him review that long series of treaties, beginning in the reign of Edward 3rd, and reaching down to the present day, increasing, at every step of the descent, in obligations and friendship of every kind. Let him particularly recollect the Treaty of 1661, in which the King of Great Britain professed and declared, that he would take the interest of Portugal, and all its dominions, to heart, defending the same with his utmost power by sea and land, even as England itself. Those treaties had been confirmed at many subsequent periods, till at last, in 1815, at the Congress of Vienna, all the ancient treaties of alliance, friendship, and guarantee, so long subsisting between the Crowns of Great Britain and Portugal, were again ratified and acknowledged to be still of full force and effect. But, perhaps, the noble Earl, in admitting these treaties to be in full force and effect, meant to contend, that we were bound to support Portugal, but not the government of Portugal. Now, he (the Earl of Aberdeen) contended, that we were bound to support Portugal, in spite of the government of Portugal. With whom were the treaties, to which he had just alluded, made? With Portugal, as represented by her government. From whom did our countrymen in Portugal receive protection, except from her government? To whom did Ministers protest, when the privileges of our countrymen were violated, except to her government? If, then, we were prepared to demand, from that government, the fulfilment of all the onerous duties which the treaties between the two countries imposed upon Portugal, it was mere mockery to pretend that we were not bound to fulfil to Portugal the duties which the same treaties imposed upon us. "But," said the noble Earl, "we are not bound to protect Portugal in an unjust cause." In his opinion, we were not

bound to examine into the justice or injustice of that cause, when Portugal was suffering under foreign aggression. He would maintain, that it was the bounden duty of the noble Earl to interfere, when Portugal, our most ancient ally, to whom we were pledged over and over by the most solemn treaty, called upon us for our interference; and he ought to have saved her from the recent catastrophe, so humiliating, not only to her national independence, but, he would repeat, to our honour. But the noble Earl did not interfere, and the chief harbour of our ally—the inlet to the metropolis, and to the seal of the sovereign's power—was taken possession of by a foreign fleet, and that, too, when one word, on our part, would have prevented it. Was our interference not called for, because the government of Portugal was wrong, and had acted unjustly? Did the noble Earl, as a man of common sense and common candour, examine into the grounds of the complaints of the French government, so as to be satisfied that the redress it sought was not disproportionate to the grievance? He feared not, for he could not reconcile the noble Earl's non-interference with such an examination. The original complaint related to the punishment of a French subject resident in Portugal, for what could not be denied, was a beastly sacrilege, so beastly that he dared not name it. Surely that punishment would not justify such a catastrophe. Then as to the other matters of complaint on the part of the French government, on which he would not then offer any opinion, he was sure the noble Earl could not take upon him to say, that they could not have admitted of an easy remedy, without the necessity of a French fleet forcing the passage of the Tagus. Why, he repeated again and again, did not the British Government interfere as the natural mediator between Portugal and her powerful adversary, and that, too, after we had been urged and entreated to do so by the Portuguese government? Portugal had a right to our mediation under those circumstances, and the Government neglected its duty by not promptly interfering: we were bound to interfere in favour of Portugal when menaced by a foreign foe, by treaty, and the closest ties and guarantees that could unite nations together. Without going further back than the reign of Anne, their Lordships would find in the second article

of the renewed Treaty of "perpetual alliance" between her Majesty and the king of Portugal, the following provision—"That if it shall ever happen that the King of Spain, and the King of France, either or both of them, shall make war on Portugal, or give occasion to think that either one, or both of them, are about to make war on that kingdom, or any of the dependencies of that country beyond sea, her Majesty and the States-general will use their friendly offices with both, or either of them to persuade them not to make war on Portugal." That treaty, so binding, was still in force; therefore Portugal had a right to call upon us to interfere, and therefore the noble Earl ought to have interfered, and that, too, when a single word of remonstrance would have been sufficient. But all this time he was supposing, that the noble Earl was anxious to prevent the recent invasion of Portugal by the French arms. This might be an error. Indeed, it should seem, that such was not the object of the noble Earl, and that, as he had surmised on a former occasion, it might be a matter of congratulation to him that France had thus triumphed over an ancient Ally. This was the more probable, because a single word of timely counsel to France and Portugal, on the part of the British Government, would have prevented that triumph, while the conduct of the noble Earl gave it a negative support. It could not be said, in justification of this invasion, that Portugal had refused proper satisfaction for any complaints of the French government which the latter was warranted in preferring. It was true, that the Portuguese government had refused to subscribe unconditionally and implicitly to the list of arbitrary demands which the representative of the French Consul had submitted to it as the *sine qua non* of redress; but it was equally true, as the noble Earl knew, that it offered to make every just reparation which a third party—England, to whom it naturally had appealed to mediate—would declare it was in fairness bound to make. But to this appeal from our ancient Ally, made on the faith of endless treaties, each more binding than the other, the noble Earl turned a deaf ear, and, as a consequence, the "French flag now floats in triumph under the walls of Lisbon." It was true, he was bound to admit, that in consequence of the counsel of the British Government,—

as the Portuguese Ambassador had stated, in answer to the French authorities—the two French prisoners were released from prison, and compensation was promised for the other grievances [“*hear, hear,*” *from the Ministerial benches.*”] Oh, ay, this was true; but if he had not been greatly misinformed, this counsel was not given till some time after the French fleet had sailed—that is, not till it was too late to prevent the mischief. However, be that as it might, the counsel was acted upon, as it would have been if more promptly and judiciously given. But the fact was—it might, perhaps, be too much to say so with respect to the noble Earl—but the fact was so with respect to the French government, that their naval expedition to the Tagus had far other objects than the avowed one of seeking redress for the “outraged honour of the French people in the person of two of its subjects.” Indeed, it avowed as much just now: the French people expressed great disappointment with the result of the expedition, as if it had, in fact, achieved nothing; and by the Parisian Journals most in the confidence of the French government, the whole affair was treated as a perfect *coup manqué*. The fact was, the French government, and, as it should seem, the noble Earl—had completely mistaken the feelings of the people of Portugal towards their present ruler: they supposed they had only to present themselves in hostile array before Lisbon, for the inhabitants to rise, and, expelling the present government, hail them as deliverers from usurpation and tyranny. But the fact proved a very different state of feeling. For three years now the government of Don Miguel had maintained its hold, and established its authority, though surrounded by circumstances of unusual difficulty to the most regular government; and every attempt from within or without to disturb it had not only failed, but had proved more and more how rooted it was in the affections of the people. The Marquis of Palmella had made an attempt to expel Don Miguel, but had to take to a precipitate flight, though his force and position were much superior to those of his adversary, and that, too, because, as he had himself avowed, it was plain that the feelings of the people of Portugal were entirely on the side of Don Miguel’s government. This shewed how idle were all expectations of the overthrow of that

government by the people of Portugal, if left to follow their own inclinations; for had those feelings been such as had been represented in that House and elsewhere, they would have evinced themselves, if not on the occasion of the Marquis de Palmella’s expedition, at least when the French had got possession of the Tagus. He would not certainly take it upon him to say, that Don Miguel might not fall a victim to some internal conspiracy; he had himself heard of several plots which had been entered into to assassinate him; but he would say, that his falling thus by the hands of an assassin would be no argument against the present popularity of his government. Henry 4th fell by the hands of an assassin; Louis 11th died in his bed; and the manner in which a Sovereign died, therefore, threw no light upon the general conduct or the feelings of his subjects towards him. He repeated, then, that the people of Portugal were strongly attached to their present government; and so little, after three years’ trial of its merits, were they disposed to aid in its subversion, that the union of the government and the people, as a consequence of the late French expedition, had become closer and closer; shewing, therefore, that if it had entered into the design of the French government to profit by the supposed disaffection of the Portuguese towards the person and rule of Don Miguel, or if the noble Earl had looked to that disaffection as a means to the permanent triumph in Portugal of the French arms, that both had been signally mistaken, and that all expectations of internal hostility being so awakened in that kingdom were entirely hopeless. Both the French government and the noble Earl, were, he repeated, so far disappointed in their expectations, and both would have to look—as it was by no means improbable they had looked—to a French army as well as a French fleet to effect the conquest of Portugal. In attaining this object, it was to be presumed the noble Earl would not justify his conduct on the alleged character of Don Miguel as an “Usurper;” for he took it for granted, that when the present king of the French had taken possession of the throne of his infant relative, in whose favour Charles 10th had vacated it, the noble Earl had not instituted an inquiry into the previous character and habits of Louis Philip, Duke of Orleans, and would equally have

hailed his attack upon Portugal, and recognized his government, even though that character and those habits bore the hereditary stamp of that near relative, his predecessor in the title of Duke of Orleans, so well known by the title of Philip l'Egalité. The character, therefore, of Don Miguel, even though it was as black as the noble Earl might represent it, could have had no influence with the noble Earl in the late transaction. On this point he wished the noble Earl would be explicit. If it were a main object of his foreign policy to overwhelm Don Miguel's government, and expel him from a kingdom, the inhabitants of which were devoted to him, let him say so at once; and above all, if it were his intention to commit the King, his master, in a war for that purpose, let him declare that such was his intention. Pretexts for such a war could not fail to present themselves in abundance; and it would be a more honest course to avow, that such was his object, than to indirectly contribute towards it by refusing to interfere when called upon—as he was by Portugal—between our most ancient ally and our most ancient adversary. The noble Earl concluded with moving, “That an humble Address be presented to his Majesty, begging that he will be graciously pleased to order to be laid before this House, Copies of Despatches from his Majesty's Consul at the Azores, and of representations from British residents in those Islands, complaining of outrages committed against the British flag, and against the property of his Majesty's subjects, by persons exercising authority in the Island of Terceira: also, Copies of Despatches from his Majesty's Consul at the Azores, giving an account of any expedition fitted out at Terceira, in British vessels, against the neighbouring Islands, and of the capture of such Islands; and also, Copy of any information, received by his Majesty's Government, of preparations made by the said persons exercising authority at Terceira, to transport a military force in British vessels for the invasion of the kingdom of Portugal.”

Earl Grey began by observing, that any man who had heard the first part only of the noble Earl's speech, could never have anticipated the other three-fourths, and that any man who had heard but these three-fourths, could never have conjectured that the avowed object of his motion was the mere production of the papers

just moved for. The noble Earl set out with professing his intention to confine himself to the particular case to which these papers referred, but soon departed from his avowed purpose; and after dealing in assertions, as unfounded in fact, as they were confident in tone, with respect to the recent revolution in Brazil, the transactions between Portugal and France, and the conduct of the British Government in reference to these transactions, and other topics equally foreign from his nominal object, at length abruptly returned to his innocent purpose, of procuring documents wholly relating to the recent expedition from Terceira to a neighbouring island, so far as it applied to British vessels employed in it. Now he must say, that this artful digression of the noble Earl from the direct object of his motion, was not only the most unprecedented, but he would say, under the circumstances of the case, the most unfair proceeding he had ever witnessed. For how did the matter stand? The noble Earl, professing himself to be precluded from moving for such documents as might throw a light on the recent transactions between France and Portugal, and on our line of conduct with reference to them, by the observation which he had on a recent occasion made to their Lordships—namely, that the production of these documents just now would be detrimental to the public service and in which the noble Lord acquiesced—professing his desire to abandon those particular documents, and the discussions involved in them, and confine himself to the single isolated case (which, however, he said, was of so pressing a nature, that he could not defer bringing it forward a single day) of the transaction at the Azores, to which the paper moved for by him directly applied, and professing himself excluded from all discussion about Portugal; the noble Earl, notwithstanding this declaration, so judicious in its spirit, if acted upon, had nevertheless made a long and most elaborate speech on the very subject thus admitted by him to be precluded, and which he (Earl Grey) had emphatically declared, and again repeated, could not be then prematurely discussed without inconvenience, and most probably serious injury, to the public service, and concerning which the noble Earl could not speak positively without further information than it was possible he could possess. Such conduct, after such a profession, and after

what had occurred on a former evening, was, to say the least, unfair—and the more unfair, because, for the very same reasons as those which he had stated on that evening, he was precluded by a regard to the public interests, from following the noble Earl through the several topics on which he had hazarded so many confident and unfounded assertions. All, therefore, he could say, generally was, that when the subject should be, at a proper time, formally before the House, he would undertake to convince their Lordships, that the conduct of Ministers, in the transactions referred to by the noble Earl, was that best adapted to maintain the honour, and promote the best interests, of the country. The noble Earl asserted, with his usual confidence, that he was convinced, that reparation had not been refused by Portugal to France in the first instance. The noble Earl was in error: the Portuguese government not only refused redress, but left the French government hardly any other course to pursue, than to demand that redress in the manner it had done. This would be seen at the proper time, as also the unfoundedness of another assertion of the noble Earl—that the counsel which he admitted Ministers had given to Portugal, had been given too late. He most emphatically denied, that it had been proffered at too late a period of the transaction, and he should be, at the proper time, prepared to show, that not only the British Government had early counselled the Portuguese authorities to make reparation to the king of the French, but had early been assisted by the Spanish government in their co-remonstrances to that purpose. But both had failed, and the Portuguese government, by turning a deaf ear to our early-urged counsels, brought upon its own head all the subsequent consequences. The noble Earl had, in his usual manner, sneered at what he was pleased to designate his (Earl Grey's) predilection for the "liberal form of government established at the Azores, and objection to the opposite form of government now existing in Portugal." To the implied sneer of the noble Earl he would give this answer:—"I know not," continued the noble Earl, what "censure or sneers the declaration I am about to make may elicit from the noble Earl, and those who, like him, hold despotic governments, just now, in such particular esteem; neither do I much care. Neither shall

deter me from stating, fearlessly and explicitly, that I have, and ever had, and ever shall have, a predilection for a form of government founded on right and justice, and that, on the contrary, I have, ever had, and ever shall have, a feeling of aversion from governments founded on usurpation, and supported by cruelty and blood." In making this declaration, he trusted it would be seen, that his own personal feelings never diverted him for a moment from pursuing the strict path of policy and justice—calculated to promote the permanent interests of the country. The noble Earl had strangely, all at once, become enamoured of Don Miguel and his government in Portugal. That personage, it appeared, from the noble Earl, was a most injured and amiable individual; beloved by his subjects—indeed, no monarch so much so, or who so wholly reigned in the affections of his people. This discovery was, at least, modern; for he had some recollection, that when the noble Earl was in office, an individual still higher, and more influential than himself, in the then Administration—one, too, who was generally considered to be as well acquainted with our foreign affairs, particularly of Portugal, as the noble Earl, and whose opinions, once expressed, were moreover received as those of his colleagues on most questions of policy, and which opinions, moreover, with great deference be it said, were usually listened to with as much attention and respect as if they had fallen from the noble Earl—he recollected hearing that noble person saying in his place, "I admit Don Miguel to be an usurper. I believe him to be perfidious and cruel, because cruelty belongs to cowardice. I will not attempt to deny, that his government is an usurpation, and that he has himself broken all ties, pledges, and oaths, which bound him in alliance with this country and in allegiance to his brother." These were the sentiments of the noble head of the Administration of which the noble Earl was a member; they were at the time, it is to be presumed, also his own—at least, he was very cautious to suppress different ones if he entertained them. But it seemed that the noble Earl had now discovered Don Miguel to be a "marvellous proper man," and that the portrait so true, so graphic, of his ex-commander, did not apply to him. Such were the wonderful discoveries men made who were anxious to be

restored to office. Though he (Earl Grey) felt, that if there was a ruler of whom the character he had just quoted could be more truly predicated than another, it was Don Miguel; still his feelings, he repeated, should not influence him in the discharge of his public duty—though, indeed, he must add, he could not, like the noble Earl, very readily select him as an object of his enthusiastic attachment. The noble Earl, however, admitted, that notwithstanding the violence of the attachment of the Portuguese people to their ruler, it was not impossible that he might be assassinated, but contended that if ever he should suffer a violent death, it would prove nothing against his character, as Henry 4th, the popular king of France—oh, thrice happy comparison!—had fallen by the hand of an assassin. This allusion to assassination, however remote or contingent, was to him painful. He detested assassination in every form, and under every pretext; indeed, he could never make up his mind to view with feelings of approval the assassination of Cæsar, notwithstanding the plausible arguments which had been adduced in its favour, and the lofty motives of its chief agents. With these feelings he need not say he should regret if even Don Miguel fell by what, perhaps, might be considered an act of retributive justice. Be his character and conduct what they might, he trusted that such would not be his fate. No, his notions of moral justice were of another character. Of Don Miguel he would rather say—

“—nec lex est æquior ulla

Quam necis artifices, arte perire suâ.”

He must repeat, that no personal considerations of Don Miguel's character and government should induce him to view either, as a Minister, except as far as they interfered with, or promoted the general interests of the country. He appealed to the noble Earl whether his observations with respect to the transactions between Portugal and France, could have any effect, particularly in the present excited state of the latter, other than prejudicial? He would not follow him in his very indiscreet—he used the mildest terms—allusion to the king of the French, and to the Duke of Orleans, his father. Surely the noble Earl's partisan zeal in defence of despotism could not blind him so effectually to a regard for the public weal, as to prevent the noble Earl from seeing

that such indecorous insinuations could only be irritating, without any single compensating advantage? Indeed, such language, coupled with the general tenor of the noble Earl's speech, struck him with astonishment. Before that evening he was not aware, and could not believe, that anxiety to re-occupy office could have so influenced any noble Lord, as to make him so blind, or negligent, or indifferent—for it must be one of the three—to the general interests of the country, as to make use of language so calculated to produce national mischief—and this language, too, with reference to a monarch whom the noble Earl and his colleagues had—to their credit be it said—promptly and judiciously acknowledged as the king of a great and free people. As he had already stated, he was precluded from then entering into an explanation of the conduct of the French government towards Portugal, further than to observe, that that government had sought for redress of its grievances from Portugal, precisely in the same manner, and with the same result, as we had ourselves just before demanded and obtained redress under somewhat similar circumstances. After this previous conduct on our part, how, he would ask the noble Earl, could we presume to say to the French government—“It is true, that Portugal has committed itself in certain cases against you, just as she did towards us; but you must not seek redress as we did, but submit to such terms of arbitration as we, her ancient ally, shall think fit?” What, he need not ask, would be the effect of such dictatorial language upon a high-spirited and independent nation, particularly in such a state of excitement as that in which France just now was? After all, the noble Earl said the French expedition was a failure, a *coup manqué*; if so, how could he consistently taunt us with its being not only a national humiliation to Portugal, but to England? But it would be, perhaps, sufficient to state, that the French only sought redress for an admitted injury, and that, having attained that object, they made no attempt whatever to proceed further; that, in fact, if the French fleet had not actually as yet left the Tagus, it was preparing to do so immediately. Here he would leave that part of the subject, having, perhaps, gone further into it than might be expedient. But the noble Earl was not content with this, for he went into

the conduct of the Emperor of the Brazils, and what he alleged to be the cause of the Revolution there. The noble Lord, too, had justified that Revolution, and commented on the severity of the Emperor's conduct, which he said had justified the people in rising and expelling him from his Throne—[“No, no,” *from the Earl of Aberdeen*]. Let there be no cavilling about mere phrases; what else could the noble Earl mean, when he stated, that never was sovereign driven so unanimously from a throne by his people? We had, therefore, a proof in this, that the noble Lord was ready enough to justify a revolution when it suited his own political feelings. And now, supposing that Don Pedro was using every nerve in his power for the restoration of his daughter to the Throne of Portugal, he would merely ask, if what the noble Earl had said over and over again were true, that Don Miguel was a usurper, and a perfidious oath-breaker; then he (Earl Grey) would ask, was not Don Pedro justified in using every exertion to do justice to his daughter? Could he blame Don Pedro if, after the usurpation of his daughter's kingdom by Don Miguel, he should adopt every expedient in his power to restore his daughter to her rights, and, *par consequence*, to deprive Don Miguel of his usurped authority? He, for one, certainly could not blame Don Pedro, and therefore, so long as the British Government observed strict neutrality between the parties, there was no occasion for the noble Earl's censure. If the noble Earl meant to insinuate, that Don Pedro's attempts had compromised, or would compromise, our strict neutrality, he gave the assertion the most unqualified denial. Ministers had heard nothing, with reference to the loan which the noble Earl alleged Don Pedro had contracted with certain monied gentlemen in the City, which could justify their interference, as a breach of neutrality on the part of Don Pedro. He had certainly to learn the fact of the Government having the power to prevent Don Pedro from raising any loan here which the monied men chose to grant him, on any security he could offer. As far as the Government was aware, Don Pedro had done no act which could be construed into a violation of our neutrality. With respect to the expedition from Terceira, for the purpose of extending the just dominion of Donna Maria

over the Azores, he would ask the noble Earl, where was the ground of our interference?

The Earl of *Aberdeen*.—The forcible use of British ships.

Earl Grey:—But what were the facts? An expedition was fitted out from Terceira, which for three years had acknowledged the authority of Donna Maria, and the noble Earl said, this was merely for plunder, which the Government did not know. But he would ask the noble Earl what would he have the Government do? would he have them prevent it?—[“Yes,” *from Lord Aberdeen*] He said “No;” and though he would not revert to our Government having permitted the French government to enter Spain with an army, avowedly to interfere with the people—though he would not further touch these blots in our history—yet he knew of no duty that existed upon our parts to prevent any incursion on the part of Donna Maria; and, if he had any doubt upon the point, he should appeal to the authority of the noble Earl (*Aberdeen*) himself. He should not either revert to the cruelties, of which so much had been said, nor allude to cruelties, as the noble Earl was accustomed to do, only, however, when the partisans of absolute governments were the sufferers. Why, he wished to ask, should we interfere in this case of Donna Maria—we who, during the administration of which the noble Earl was a member, refused to interfere when Don Miguel sent an expedition (unsuccessful in the result) of 1,600 men to effect the conquest of Terceira? Which case was more obnoxious to the charge of violated neutrality? He was confident the conduct of Ministers with respect to Donna Maria was more just, and more consistent with the principle of neutrality, than the conduct of the late Ministers in favour of Don Miguel, in the case he had just alluded to. But to come to the facts of the present case. It was true, that a vessel, named the *Coquette*, belonging to a Mr. Dart, a merchant in the City, had been seized by the government of Terceira, and used on the expedition to which the noble Earl's Motion referred; but it was equally true, that compensation was offered to that gentleman, either to pay him the value of the ship, or for its use, by the authorities of Terceira. Mr. Dart's application to the British Government was made on the 24th

or 25th of May; on the 31st an order to institute the fullest inquiry into the matter had been forwarded to the Consul-General at the Western Isles, who had not yet made his report. Till, therefore, that report had been made, he would not offer any opinion on the transaction; and, for the same reason, must negative that portion of the noble Earl's motion which referred to it. Then with respect to the other case, the facts were these:—Mr. Hoppner, the consul at Lisbon, a most excellent officer, thought that, under the relations then existing between Portugal and France, he was bound to prohibit the use of two British vessels, which Don Miguel's government had employed to aid him in his contest with the French fleet; but the case having been referred to the King's Advocate here, and he having given it as his opinion, that the relations between the two kingdoms did not authorize the prohibition, Mr. Hoppner expressed his regret for his error, and permitted the vessels to act according to their charter. Upon the subject of chartering English vessels, the case had been referred to the King's Advocate, who had reported, that it was not contrary to the law of nations, or to any treaties between Portugal and Great Britain, but he had added, that if the vessels were captured in the service, the owners would have no claims on the English Government. There was nothing in the case to justify the severity of imputations and censures which the noble Earl, in his zeal to throw blame upon the English Government, had thought proper to indulge in. Their Lordships would agree with him, that the papers ought not to be produced, and that he was justified in giving his decided negative to the Motion. With respect to the third motion of the noble Earl, it was, that Ministers should lay before the House all the official information which they had received respecting an armed force being prepared in the Azores, for the attack upon Portugal. Upon the very first blush of such a demand, the House, he was convinced, would not consent to give any such information. This was the first time he had ever heard of such a demand being made; but he could give to the noble Earl a most satisfactory answer. Whatever means the noble Earl might have of acquiring his very extensive knowledge, most certain was it, that no information of the nature which he had described had been received

by any of his Majesty's Ministers. He had therefore to give a short answer to the point, by saying that no such information had reached Government. The return, therefore, would be *nil*; but, under the circumstances, and from the manner in which it was put, he did not think the House would agree to it. He would never object to Ministers being censured upon proper grounds, and on the most searching inquiries; but, in the present instance, no case had been made out for Government to put itself on its defence, or that would justify the Ministers in supplying the information which the noble Earl had called for. Having thus gone through the three divisions of the noble Earl's motion—though to follow all the divisions of the noble Earl's speech was an absolute impossibility, he should conclude by giving a direct negative to the Motion.

The Duke of *Wellington* could not but think, that the censure cast upon his noble friend (the Earl of Aberdeen) for the manner in which he introduced his Motion, was unfounded. It was impossible for his noble friend to make out the case, which he had so completely done, without entering into the whole history of the unfortunate events which had occurred in Portugal. His noble friend had said, that he entertained suspicions—suspicions, which, in his (the Duke of Wellington's) mind also, were well founded—that the French expedition had an object ulterior to the mere demand of reparation. Their Lordships all knew what was passing in Paris, and his noble friend had quoted one of those authorities, which he was afraid weighed too much with the Governments of both France and England, he meant one of the newspapers of Paris. He must do the noble Earl at the head of the Government the justice to say, that the same document which had given the information alluded to by his noble friend, also stated, that the noble Earl opposite had endeavoured to prevent these demands from being made by the French government. It was positively stated in one of the French newspapers, that the French Admiral had been instructed, as his second object, to inquire whether there was any prospect of revolutionizing Portugal; that he found there was not, and that he therefore desisted. This was the substance of the intelligence contained in this document; and yet it was said, that there was

no reason to infer that the French had any design to bring about a revolution in that country. He would do the noble Earl the justice to say, that he believed the Government here did endeavour to prevent the interference that had taken place, and of which there was proof in the demand that Fort St. Julien should be given up; and yet it was said, "Oh! you must not refer to any such designs being entertained." Then his noble friend had been taunted, because, in former Debates in this House, he had spoken severely of the conduct of the king of Portugal. He did not mean to deny that; but what he wished to know was, were we, or were we not, to protect Portugal against this revolutionary invasion, because his noble friend had once disapproved of the course pursued by the king of Portugal? He blamed this Government, not for neglecting to interfere to prevent this invasion, but for not having placed Portugal previously in such a situation, that no such circumstance could have taken place. He thought, that the noble Earl had no reason to find fault with his noble friend for what he had stated respecting the conduct of Government as to the Emperor of Brazil. In this country, and as long as the Emperor of Brazil remained in this country, he could never regard him otherwise than as an individual. He would, of course, regard him as a member of a distinguished family—as one who had held a high situation—but still, as an individual, who had no more right than any other to violate the laws of this country. He was no more at liberty than was any one else, to occupy himself, while in this country, with the planning expeditions to the Azores, or from one island to another. He did not mean to insinuate, that the King's Ministers were any parties to this; but yet, from the speeches which some, at different times, had delivered in that House, he could not but suspect them, or, at least, say, that they gave grounds for a suspicion, that they might have mixed themselves up with such proceedings. Whether they had done so or not, of this, at least, he felt perfectly assured, that it would ill become the Ministers of King William 4th, a monarch bred up in the Navy, to advise their royal master to make use of any ships but his own, for warlike purposes. If it unhappily became necessary for our gracious Sovereign to adopt any hostile proceedings, it would be most unfaithful indeed to recommend

him to carry them on in any mean, shuffling manner, through the agency of the ships or the arms of the subjects of another state. It was therefore that his noble friend, and the noble Lords at that side of the House, had a right to inquire what course had been taken in reference to the transactions in the western islands? what had been done to prevent the invasion of St. George's island? and what had been done respecting the seizures effected under the directions of the regency of Terceira? and further, had the Ministers demanded compensation for the injury done to the property of British subjects? Had they demanded and obtained that compensation in the same manner as in the case of the Portuguese government in Lisbon? It was, of course, no part of the duty or the business of this country to interfere between one branch of the House of Braganza and another; but surely we were bound by treaties to prevent any further invasion of the rights and independence of that part of the Portuguese territory to which he alluded, namely Terceira. It appeared to him necessary to preserve the relations between Portugal and this country on the ground of policy. The situation of the Azores islands was of great consequence. If a piratical Power was seated there, he need not point out to their Lordships how much the commercial interests of this country would suffer, for the ships which passed them were exceedingly numerous. Their Lordships might rely upon it, if they allowed the occupation of those islands by a Power such as he had designated, it would become necessary to employ a British force, for nothing but a British force could effect it, to take possession of them. He thought, that his noble friend, who had asked for the information, had established a case. What he wanted was, the official information, which must have been received, as to the seizure of vessels at Terceira, and the forcible hire of them. If, however, that information could not be conveniently given, he would not insist upon that part of the Motion, being as unwilling as any one to embarrass his Majesty's Ministers, by the production of papers which might prove injurious. Upon a review of the whole subject, he must say, that he thought his noble friend had acted with candour and fairness in bringing forward his Motion. It was the duty of his Majesty's Ministers to take care and prevent Portugal from falling into the hands of parties

over whom they had no control, and whom they could not prevent from sowing revolutionary measures, which would prove so baneful to its own interests, and to the interests of this country.

Lord *Holland* commenced by stating, that when he heard the speech of the noble Lord who had introduced the Motion, and when he afterwards heard the words of the Motion itself, he confessed he felt great difficulty how to connect many of the topics introduced into the noble Earl's speech with the Motion. But it was unnecessary for him to follow the noble Earl through all his details, to show the difficulties which would arise by granting the Motion—to point out the evils which would accrue by adopting it—these having been so ably stated by his noble friend near him, in his answer to the noble Earl's Motion. The noble Duke who had just sat down, felt the force of the observations of his noble friend (Earl Grey), or, rather, he felt that the impression made upon their Lordships' minds was, that the Motion was of so extraordinary a description—he might almost say unparliamentary—that the House could not consistently grant it; and, therefore, the noble Duke threw his shield over his noble friend (the Earl of Aberdeen) as a protection. The noble Duke had said, that the Motion ought to be granted, because, in the newspapers of France—because, in a French newspaper, “the gentlemen of the Press” had stated, that France had some ulterior object in sending a fleet to the Tagus. But that intention, it appeared from the same source, had been defeated by the representations of the Government of this country; and yet, from another part of the noble Duke's speech, we did not, nor, indeed, ought we if we could, according to the noble Duke, prevent these circumstances from taking place, upon which these supposed ulterior proceedings were to be founded. But now, mark the logic of the noble Duke upon that particular point. The Motion ought to be granted relating to that head, because, forsooth, “the gentlemen of the Press” of France had speculated that their government had some ulterior object, which ulterior object, they believed, had been defeated by the representations of this Government; and, therefore, what must be done was, an account given to the House by Government, of what had happened at Terceira; and, strange to say, this newspaper had been called a document. The

experience that noble Lords had in that House, would lead them at once to the conclusion, that never had the noble Lords, who now sat upon the Ministerial side, made such a Motion for documents. This he would venture to assert. The three motions—for they were so divided—of the noble Earl, calling for such papers as he asked by the words of the motions, were moved for without any parliamentary ground for the production of the papers having been made out. But, it would seem, that these three notable motions were nothing but pegs upon which to hang inchoate suppositions of what the intentions of the French government were; which intentions, too, were founded upon facts arising out of the speculations of a newspaper writer. The noble Lords who sat on the opposite side of the House, were not wont to set so high a value on a newspaper statement as they now appeared to do: probably a new light had sprung up in that respect upon them. “Oh, but,” argued those noble Lords, “we have strong suspicions of you (the Ministers), because we have heard you say, when on this side the House, what you would do when you were not Ministers.” Then the noble Duke, in another part of his speech, had in effect said (and the noble Earl had begged the question, by calling these outrages, respecting which he wished to have papers laid upon the Table: nor was it very clear how these outrages, supposing they were so—about which he would not here give an opinion—were connected with the French expedition to the Tagus), “You could not,” meaning the Ministers, “after acting as you did to Portugal, in fairness and in justice deny to France, that which you have been guilty of yourselves.” But the noble Duke said, “You ought not to have interfered yourselves.” He admitted, with the noble Duke, the necessity of carrying on war in an open manner. There was no objection to produce all the papers alluded to in the King's Speech; but these, it seems, were not enough, and, under cover of a miserable motion, on supposititious facts, further information was sought. He would not believe, that the noble Duke really wished the production of these papers. It was only a piece of gallantry on his part, to support his noble friend, which made him step forward to arraign his Majesty's Ministers for the part they had taken. The noble Earl who had in-

roduced the Motion, had assumed, that his Majesty's Ministers had not considered the Azores of that importance they really were, and had read a lecture upon the subject. But he begged to inform the noble Earl, that they were, in his opinion, of great importance. At the same time, he could recollect Debates in that House, in which noble Lords who sat on the opposite side, did not seem to value the Azores so highly as at the present moment they estimated them. He remembered a strange metaphorical nut being thrown out to crack, in which the House was told, that not each of the islands was to be considered by itself, but that they were to be taken as a whole, and Portugal, it was also urged, was to be taken as a whole. But now the Azores were to be taken as of great importance. And why? Because of the number of ships which passed; and lest a piratical power should there exist, injurious to our commerce. A great part of the noble Earl's speech, who had introduced this subject to the House, was a philippic against that unfortunate Monarch, the Emperor of the Brazils; but the noble Duke had described him as a man of great respectability, and whose character was not of that nature which his noble friend had insinuated. He would leave the matter to be settled between the noble Earl, and his protector the noble Duke. He would not discuss the personal merits of the Emperor of the Brazils, about which, the noble Duke and the noble Earl entertained adverse or different opinions. In his opinion, that House had nothing to do with the personal character of the members of the house of Braganza; and he never said otherwise, when at the opposite side of the House; and if, inadvertently, he could have so spoken, he should then most readily retract any such expression; but then, they were told, that Don Pedro must not be allowed, in any respect, to compromise the peace of this country. Did any rational being suppose, that the present Motion would tend to prevent his doing so? The noble Duke had said, "You must not allow Don Pedro these means, which may lead to war." He (Lord Holland) denied that such means had been resorted to. But, admitting for argument's sake that it was so, had this Motion any thing to do with that subject? "We have found out," argued the noble Earl, "that the Council of Terceira has interfered with foreign ships." But what had that to do with

Don Pedro? The noble Duke had called the Regency of Donna Maria, a self-constituted one, and had also described the government as piratical. The legitimate right of Donna Maria, had been acknowledged by this country, and even in the papers of the noble Earl he had gone further, and described her as the Queen of Portugal by the law of nations.

The Earl of *Aberdeen* interposed, and said, it was Don Pedro whom he had designated as king of Portugal.

Lord *Holland* continued:—What the noble Earl had said was, that Don Pedro was king of Portugal by the order of nature. Terceira had acknowledged as a Queen *de facto*, her whom the noble Earl had acknowledged as a Queen *de jure*. Were treaties binding on every part of Portugal? If they were, Terceira had the same rights and claims under those treaties as Don Miguel. But the noble Duke had said, that the will of the people was to be consulted. He would no longer confide in the Old Sarum and Gatton system; oh no! Don Miguel had got rid of all that was rotten in the State; he had given his people a Reform, and all the people of Portugal were for Don Miguel, the Reform-king. England, therefore, was to respect the government that was founded on the popular will. He would not comment upon such a topic, but when the noble Duke and his political friends talked thus of the revolution in Portugal, and stigmatized the recent popular revolution in France, he would only beg them to compare the number of persons imprisoned in the two countries. What was the proportion of property confiscated in Portugal and France? Let these subjects be reflected upon, in order to estimate the comparative spoliation and misery of the two revolutions. If Ministers were driven to choose between the power which had been pronounced legitimate, and that with which England had had no diplomatic relations for the space of three years, and the Sovereign of which had given us a cause of war, by violating a solemn promise, to which he had made Great Britain a witness, and in some measure a guarantee, he should never have the slightest hesitation which of the two to choose. He very well saw the interest which England had in the independence of Portugal; but in his opinion, there was no power on earth so hostile to the interests of Great Britain as that power in Portugal, and

out of Portugal, which supported the pretensions of Don Miguel. The noble Lord concluded by saying—"The noble Duke has more than once alluded to my opinions on Portugal, and to my persuasion that English interests are deeply involved in her independence. He has not misstated me—he has not magnified the importance I ever have and do now attach to that point. No man is more deeply impressed than myself with the necessity of maintaining the independence of Portugal, and cementing her connexion with this country. Reasons, however—natural, physical, geographical reasons, and, therefore, beyond human control—prevent Portugal from being permanently and substantially a separate and independent State, without leaning for support, either upon England or upon France, or upon both. I deeply and deliberately regret, that affairs for some years back should have been so managed, that she is less likely to lean exclusively upon us than she has done, than, if we had supported our natural connexions in that country, she would still have continued to do, or than we at all times must wish her to do. This is a great evil; but I must tell the noble Lords opposite, it is not one of our creating. My withers are unwrung. The reproach is not with those around me, or those with whom I am connected."

Lord *Ellenborough* thought it inconsistent in the noble Baron to admit that it was the interest of Great Britain to preserve the independence of Portugal, and yet to declare, that England was in such a situation, that she could offer no advice to which the Portuguese could listen with any confidence. He much feared, that by throwing off Portugal, Ministers would force that unfortunate country to have recourse to France. Were they, he would ask their Lordships, to forget the spirit of all the treaties which they had made with Portugal, and were they to truckle to those who were desirous to deprive them of their most faithful and most ancient Ally? Was that the line of conduct—was that the kind of policy which should be adopted by a British Government and a British Legislature?

The Earl of *Aberdeen* replied. The noble Lord said, that the appearance of the French fleet in the Tagus, and the transactions which had subsequently occurred there, had given a new character to the condition and to the danger of Por-

tugal, and had sufficiently justified him in bringing forward his Motion this day.

Motion negatived without a division.

The Marquis of *Londonderry* wished to put a question to the noble Earl opposite, to which he hoped he should get a satisfactory answer. He wished to know, whether the Protocol for which he had moved, and which had been laid on the Table of that House, preparatory to his (the Marquis of *Londonderry's*) motion on Tuesday next, was an exact copy of that Protocol which had been signed by the Plenipotentiaries, or only an extract from it?

Earl *Grey* said, that the printed Protocol on their Lordships' Table was a perfect paper. There had been a draft, which had been signed by the Plenipotentiaries, but it was subsequently cancelled.

The Marquis of *Londonderry* wished to know whether, after the arrival of the son of M. Casimir Perier in this country, there had been any communication with him on this subject, beyond a verbal or oral one, as had been already stated by the noble Earl?

Earl *Grey* did not feel bound to enter into all those explanations, for the eliciting of which the questions put by the noble Marquis were so frequently intended. He begged, however, to reiterate his statement, that there had been nothing beyond a verbal communication with the French Ambassador on the subject alluded to.

Lord *Ellenborough* said, that as he understood the noble Earl, the case stood thus—that a draft had been prepared in the first instance, which was afterwards cancelled, and that they had now before them the exact copy of the Protocol which had been finally adopted by the Plenipotentiaries.

HOUSE OF COMMONS,

Friday, August 5, 1831.

MINUTES.] Bill read a third time; for granting the sum of 10,000*l.* a year, for the suitable Education and Maintenance of her Royal Highness the Princess Alexandrin Victoria of Kent.

Returns ordered. On the Motion of Mr. JOHN WOOD, for an account of all Vessels placed in Quarantine for the last five years, ending 31st December, 1830, stating from what Countries they came, where they performed Quarantine, and the amount of Fees levied for clearance, with the date and authority with which such fees are charged, and a return of the number of Vessels placed in Quarantine since January, 1831, up to the latest state, and the number now remaining:—On the Motion of Sir ROBERT INGLIS, of the number of Parishes in each Diocese in Ireland, in which the Tithes are the property of Laymen, with the income and number of Acres, whether rectorial, or en-

turely inappropriate, and the amount paid to the officiating Clergyman :—On the Motion of Mr. HUGHES HUGHES, for an account of the Population of the Isle of Wight, as taken by the late Census.

Petitions presented. By Mr. LEFROY, from the Corporation of Tailors, Weavers, and Sadlers (Dublin), three Petitions, against Reform of Parliament (Ireland). By Mr. JOHN WYNN, from Occupiers of Land and Houses, of St. John Sligo; of Inhabitants of Drumcliffe, and of Glenlough, for continuing the Grant to the Kildare Street Society :—By the Hon. Mr. COLE, a similar Petition, from the Inhabitants of Kells. By Mr. O'CONNELL, from the National Reform Association of St. George's, Bloomsbury, complaining of the delay in passing the Reform Bill; from the Inhabitants of Mallow, and the Roman Catholics of Cloyne-priest, against a continuance of the Grant to the Kildare Street Society; from the Inhabitants of the United Parishes of Beldoyle, Howth, and other places, for the Repeal of the Union. By Mr. JAMES JOHNSTON, from the Corporation of Inverkeithing, against the use of Molasses in Breweries and Distilleries. By Mr. HERBERT CURTIS, from Land Owners, and Occupiers of Wadhurst; of Inhabitants of Northiam and Beckley; and of Householders and Inhabitants of Bower, for the Repeal of the Malt Duty. By Sir ARTHUR CHICHESTER, from the Merchants and Ship Owners of Belfast, for the Repeal of the Duties on Marine Insurances. By Mr. LEFROY, from different parts of Ireland, in favour of the Grant to the Kildare Street Society.

COAL-METERS OF DUBLIN.] Mr. Lefroy presented a Petition from the Corporation of Tailors, praying for the continuation of the Coal-Meters' Establishment, or for some compensation to the persons employed, should their situations be taken from them.

Mr. O'Connell thought the petitioners deserved no compensation, and, if the hon. Member would investigate the subject, he would be of the same opinion.

Mr. Lefroy apprehended there was no legal right involved. The object of the petitioners was, to obtain compensation for the coal-meters, if their establishment was abolished.

Mr. Hunt hoped the coal-meters of Dublin were not like their brethren in London; and, before any compensation was granted, he trusted the case would be thoroughly looked into.

Mr. O'Connell said, that the Lord Mayor and Corporation of Dublin fixed their wages, under the Statute of George 2nd, which had been repealed by Mr. Hume's Act, relative to the Combination-laws. During the period when the tax on sea-borne coals prevailed, these coal-meters were employed to make returns of the cargoes which entered the port of Dublin. Upon these two circumstances, the petitioners had assumed they had a right to employment, and, therefore, to claim compensation if they were deprived of it. He trusted the House would not trouble themselves about the matter, and he should certainly oppose the coal-meters, receiving any compensation.

Mr. Leader considered the coal-meters case a hard one. There were about forty of them, and they were mostly advanced in years, with families to support. He, therefore, thought it was cruel to deprive them of employment without some compensation.

Mr. Lefroy said, as the observations of the hon. and learned member for Kerry were likely to prejudice the case of the coal-meters, he felt it incumbent to state the circumstances of the case. The coal-meters were appointed under a chartered right, claimed by the Guild of Merchants in Dublin, and had exercised their office ever since coals were imported into that place. All they now asked was, if their office were abolished, that they should receive compensation, and he had no doubt, at the proper time, from the case he had seen, that their claims could be established.

Petition to lie on the Table.

GRANT TO MAYNOOTH COLLEGE.]—Colonel Perceval presented two Petitions from the parish of Seagoe, and Landowners and other Inhabitants of the county of Armagh, against the grant to Maynooth College.

Mr. Wyse begged to inquire, on what ground the petitioners prayed for the discontinuance of the grant.

Colonel Perceval said, not on the ground of hostility to the Roman Catholic religion. There was nothing in the petition reflecting on any sect whatever.

Mr. Brownlow admitted, that many of the petitioners were highly respectable persons, but he regretted that at this time of day, any such petitions should have come from that county. He was compelled to differ from his constituents. It was of great consequence, that the Catholic priesthood of Ireland should be respectably educated; and he thought it was unwise and illiberal to wish to withhold a grant for that purpose, which was not equal to the revenue of many Irish Protestant Bishops. The college of Maynooth was intended for the education of the Catholic priesthood; it had received the approbation of the Government. If the vote for Maynooth was proposed to be enlarged, to induce a more respectable class of students to frequent the College, it would meet with his entire approbation.

Mr. Wyse said, the College was originally instituted, not for the benefit of

Catholics exclusively, but to satisfy the scruples of certain persons, who believed that the Catholic clergy, by being educated abroad, imbibed a spirit of discontent to the established order of things at home, which they afterwards promulgated among their flocks in Ireland, so as to affect their allegiance. The College was founded on this notion, and received 13,000*l.* a year when first established. This sum was reduced to 9,000*l.* under Mr. Perceval's Administration, from a hostile religious feeling; but as that, he hoped, was now passing away, there could be no motive but economy for withholding the small sum by which the College was maintained. In what a situation if it were withheld, would the Catholic Clergy be placed. As long as there were Catholics in Ireland, it was important they should be well educated. The Dublin College was comparatively closed against the Catholics; if it was to be opened, and made a national establishment, there would then be sufficient grounds for discontinuing this grant. It was to be lamented, that we did not imitate other nations, where a mixed religion prevailed. In the German Universities, both sects enjoyed equal advantages, and even in Catholic Austria, there were two Colleges for the education of the Lutherans. The same liberal conduct was observable throughout Germany, and, if it were adopted in Ireland, it would be of considerable advantage to the community.

Sir *J. Newport* said, having read one of the petitions, he must complain of the stigmas cast upon an institution, which was most respectably conducted. He believed some parts of the petition were so objectionable, that it could not be received. It was asserted therein, that the students were nurtured in sentiments inimical to the peace of the country. The College of Maynooth was formed, in order to have the Irish Priesthood educated at home, rather than in France; and had well answered the purposes for which it was erected. If improper doctrines were taught at Maynooth, what were the visitors—the Lord Chancellor and Chief Justice of Ireland—doing? They had periodically visited the College, and inquired into the particulars of the education and doctrines taught therein, and when they had found cause for complaint, their complaints had been attended to, and the cause removed. The truth was,

there was no ground for any charge against so respectable an establishment. He should object to the reception of the petition.

Mr. *Lefroy* denied, that the College of Dublin was exclusive. Catholics there could obtain Degrees, and, if they did not choose to attend the chapel, they were excused. It was true, the Fellowships and Scholarships could be obtained only by Protestants. He hoped never to see the latitudinarian system of the German Universities, which admitted of the establishment of opposite professorships, to teach conflicting religious doctrines, established in the Dublin University.

Mr. *Wyse* had himself been educated at the University of Dublin, and, therefore, could not, and had not asserted, that it was shut against any sect for the purpose of receiving education only. He regretted, however, that Catholics were not permitted to enjoy the honours and emoluments of it, in common with Protestants, and he had referred to the more generous conduct of other countries in this respect, where a system of education, which he denied was latitudinarian, was open to all, without limitation on the score of religion.

Sir *Robert Bateson* objected to the discussion. It was not provoked by the hon. Member who presented this petition. He denied, too, that the petition was from a Catholic county, for Armagh was known to be the reverse, and he hoped the hon. Member for that county would speak in the same spirit of liberality as he had just done, when they came to discuss the grant to the Kildare Street Society. His opinion was, that petitions like the present, would not have been offered to the notice of the House, if it were not for the opposition made to the grant for the Kildare Street Society. He wished to promote education, and do away those discords and animosities which had so long prevailed in Ireland. He believed, that education was not liberal at Maynooth, and, in fact, that it was directed by Jesuits. The students were excluded from all intercourse with persons of other persuasions, and that of itself must prevent the Catholic Clergy from being as liberal as they otherwise might be. When the College was established, it might have been good policy to educate the priests at home, owing to the particular circumstances of that period; but all persons with whom

he came in contact agreed, that the priests now educated abroad, were more liberal and learned than those brought up at Maynooth; they were, in fact, a superior class of people. Most of those sent to Maynooth were from the humbler classes, and nothing liberal or enlightened could be expected from them.

Mr. O'Ferrall said, he could confidently state, that no improper doctrines had been taught at Maynooth, as would be abundantly proved by a reference to the evidence taken before the Committee on Education in Ireland. If he had any objection to the education at Maynooth, it was, that their principles were rather despotically than liberally inclined. They wanted a national system of education in Ireland, in which the children of all sects should be admitted. The Professors at Maynooth were so strict, that all newspapers and political tracts were excluded from the College.

Sir Josiah Host was as anxious as any Gentleman, for a system of national and conciliatory education to be established in Ireland; sound policy recommended this, and they ought to endeavour to distribute the grants equally among all the different sects.

Mr. James Gordon considered the doctrines taught at Maynooth unchristian, and those who professed them ought not to be permitted to obtain any political advantage whatever. This was the true Protestant ground which the people of this country were generally about to take, as the House would find, when their Table was covered by petitions. He held it to be an act of gross inconsistency in a Protestant country and Government, to support an establishment for the education of Priests, who were using every effort to vilify and upset it. Why should a Protestant Government annually devote money to the propagation of doctrines which Protestants believed to be neither just nor scriptural? It was said, that the Catholic Priests ought to receive a liberal education; and so they ought, in the proper sense of the word liberal; but he totally denied, that Maynooth afforded a good Catholic education to the Priesthood. Their character had been much lessened, in consequence of the illiberal system in which they were educated. Nor was this all. There was the greatest inconsistency in making this annual grant to Maynooth. Year after year this country

was making grants for the diffusion of Protestant and sound principles in Ireland, and yet, year after year, they were supporting a Catholic establishment, to withstand the effect of their Protestant institutions. He did not now mean to say, whether the doctrines taught by the Catholics were right or wrong—the House of Commons was not the proper place to discuss them—but again he repeated, that the conduct of a Protestant Government, in supporting a Catholic establishment, which maintained doctrines of a dangerous tendency, was exceedingly anomalous and inconsistent. He would not, however, enter further on this subject at present, as, when the grant to Maynooth was brought forward, he should be fully prepared to oppose it. But, as he was on his legs, he would crave the attention of the House, while he adverted to a subject which he felt to be of very considerable importance.

Mr. O'Connell rose to order; the hon. Member was about to open the question of the Carlow—

Mr. James Gordon said, unless the hon. and learned Member had the gift of prophecy or divination, he could not tell to what he was about to allude, and he would not satisfy him further than to assert again, that it was most grossly inconsistent, to endow a College for the education of Priests, who were opposed to scriptural education. He did not mean to blame the Priests, for in their situation, he believed he should act with more zeal than many of them did. With one hand they gave 40,000*l.* to support education on Christian principles, and with the other, 9,000*l.* to destroy it.

Mr. O'Connell said, that the hon. member for Dundalk had ample opportunities of entering into theological discussions elsewhere, and he had hoped he would not have chosen that House, which certainly was not a very fit arena for theological display. He had termed the Catholic doctrines unchristian. He did not know how far the hon. Member's Christian charity might carry him, but the same spirit which he had evinced might be sufficient to qualify him for the office of Chief Inquisitor of Spain. He had also attacked the priests, who he^d (Mr. O'Connell) declared were most exemplary, and most diligent in their attention to the temporal, as well as spiritual wants, of the poor of their flocks. They had the entire

confidence of the people, whom they assisted and comforted upon all occasions, when they were deserted by all the rest of the world. They were to be found by the bed-sides of the poor and destitute, when they were ill, or on the point of death, and so well was this known, that they might judge of the health of a district during the prevalence of contagious disorders, by the number of priests who died; yet these were the men who were calumniated. Three hours each day were the students employed in reading the Scriptures, and yet the hon. Member had the hardihood to assert, they did not receive a Scriptural education. There had been strict examinations into the system of the College, by the Chancellor and Judges of Ireland, who had made no complaints of the education given at Maynooth. He knew the students well, and could assert, that few bodies of young men in any place of education possessed more extensive information than they did. He was utterly surprised at the hon. Member's zeal in support of the exclusive Church of England, when the hon. Member, in his own country, was a Dissenter—he belonged to the Episcopal Church, while the mass of his countrymen were Presbyterians, and regarded the cope of his Bishop as a rag of the Scarlet Whore. He (Mr. O'Connell) was for no exclusive Church—and hoped the time would come, when every man would resort to his priest as to his doctor or lawyer, and pay the man whose aid he might require. As to the grant for Maynooth, of which some hon. Members seemed to think so much, he could assure them, that no such grants need have been required, if the Catholic families of Ireland had obtained that compensation to which they were entitled, for the loss of the property which some of their ancestors had expended in foundations in France, for the education of youth intended for orders in the Catholic Church in Ireland. The British Government obtained a large sum from France as a compensation for losses sustained by British subjects at the French Revolution. Of that sum, the Irish Catholic families obtained no part for the losses they had sustained, in the way he had described, though, in justice, they had a claim to 150,000*l.* Had those foundations in France stood in the same situation as before the Revolution, he should, in right of his family, have a presentation for thirty-six Catholic divinity students.

At present he had only four. Let hon. Members, when the grant of 9,000*l.* a-year was proposed, recollect these circumstances. He wanted no partial liberality—give, he would say, to the Kildare Street Society, the management of any funds necessary to educate Protestants, as it had their confidence; but do the same to Maynooth, which possesses the confidence of the Catholics.

Mr. *Hunt* must be permitted to remark, in reply to the hon. and gallant Member's assertion that the Table would be covered with petitions against this grant, that such petitions would only come from Scotland, to which country the hon. Gentleman belonged. He thought the present petition most uncharitable in its doctrines, and should feel no regret to see it rejected on that account. He must corroborate what had fallen from the hon. and learned member for Kerry, as to the exemplary conduct and great intelligence of the Irish Catholic Clergy, as far as he had had opportunities of knowing them, in this country, and the west of Ireland.

Mr. *James Grattan* hoped, that the hon. and gallant member for Dundalk, having failed in his theological contests in Ireland, would not now try his hand in the House of Commons in the same line. If he did, he hoped that he would have the courtesy to give notice of his intention. Although he had no wish to enter into the question of religion, yet he must remark, that Maynooth College was established by Mr. Pitt, at the recommendation of Mr. Burke, and he knew that the clergymen educated there, were a most exemplary and meritorious body, devotedly attached to their flocks.

Mr. *Cresset Pelham* was surprised at the last hon. Gentleman replying to remarks which he had not heard.

Sir *John Doyle* complained of the illiberality of many of the Protestant Clergymen, and gave an instance by reading a letter from a reverend Rector (Mr. Featherston) of Hachetstown, county Carlow, who declined distributing money sent for that purpose to the Protestant poor of his parish, because he disliked the politics of the donor (Sir John M. Doyle) as being a supporter of Reform. The hon. and gallant member for Dundalk had preached much respecting the harmony of the Gospels. It were to be wished that he would adopt the practice, and avoid such discussions in this House, which must interrupt

the harmony so much to be desired. For one sixpence we gave the Catholics, they gave pounds to the Protestants; and the less was said upon this subject, the better for the Protestants.

Colonel *Perceval* said, he had not intended to excite any angry feeling in presenting this petition. He meant not to attack the College of Maynooth, but he must say, that in the opinions of Catholics themselves, the priests educated there fell far short of those educated elsewhere, in acquirements and liberal feelings. As allusion had been made to the hon. and gallant member for Dundalk, he must say, that no man stood higher in the estimation of those who knew him in Ireland, than that hon. and gallant Member.

Petition to lie on the Table.

DRAWBACKS ON SCOTCH WHISKY.] Mr. *O'Ferrall* presented a Petition from certain Distillers, complaining of the disadvantage under which they laboured, in consequence of the drawback allowed on Scotch whisky distilled from malt, which enabled the Scotch distillers to sell their whisky in Ireland twenty per cent cheaper than that distilled there. The Irish Members, he could assure Ministers, were unanimous in requiring this system to be altered, as it was the cause of great discontent in that country. The Scotch distillers had received, since 1828, nearly 2,000,000*l.* on drawbacks, and the Irish only 300,000*l.* He was wholly at a loss to understand the policy of exacting a tax with one hand, to pay it back with the other.

Mr. *Leader* supported the prayer of the petition. The system of which it complained was most unjust and injurious to the Irish distiller, and necessarily detrimental to the Irish farmer. The revenue sustained much loss by drawbacks, and even the Scotch distillers, for whose benefit they were continued, complained that they were disadvantageous to the fair dealer. When it was recollected what the hon. and learned member for Kerry had asserted, that only 16,000,000 gallons of Scotch spirits had paid duty, while a drawback had been allowed for 17,000,000 gallons, this was quite sufficient to show, that the subject could no longer be neglected.

Colonel *Conolly* said, he knew the petitioners were most respectable, and that they, as well as the whole agriculturists of Ireland, sustained great losses by the

existing system. He would corroborate what had been before asserted, viz., that the Irish Members had but one opinion on the subject, and he hoped, therefore, Government would speedily attend to the question.

Petition to lie on the Table.

SUBLETTING ACT (IRELAND.) Mr. *O'Connell* presented a Petition from James O'Donnell and William Reynolds, of Dublin, complaining of the operation of the Subletting Act, by which they (as executors of a person deceased) were prevented from re-letting a house of which the deceased had taken a long lease, only a small term of which had expired at his death. The hon. and learned Gentleman complained, that persons should be subject to one law in England, and to another in Ireland, with respect to property. He hoped to see the whole Act repealed.

Lord *Killeen* trusted Ministers would turn their attention to this very important subject, with a view to repeal the whole Act, for nothing less would be satisfactory. He thought it would be best to allow landlords to manage their own property as they thought fit, and not interfere with them by laws of this kind. He hoped the noble Lord would give some assurance that the matter would be attended to.

Mr. *James Grattan* hoped, that the attention of Government might be directed to this subject.

Mr. *Crampton* said, that the subject had been under the consideration of Government, and that a measure would have been introduced respecting it before now, but for the delay of the all-absorbing question of Reform. It would be quite absurd to introduce the measure at present, when they could have no opportunity to discuss it. He did not think the Act should be altogether abolished, but it ought to be modified. Many of the grievances ascribed to it had their source, not in the enactments of the Statute, but in the ignorance or carelessness of parties in drawing up leases. The case brought before them, in the petition, was an example. The tenant might have alienated by obtaining the consent of the landlord to do so.

Mr. *Ruthven* recommended the entire repeal of the Act. It was odious to the Irish people, and had produced much mischief; they attributed all the evils they felt to its operation,

Mr. North said, it would be better to go back to the common-law on the subject. He was against any modification of the Act whatever.

Mr. Sheil said, that the Act was tried as an experiment, and having totally failed, it ought to be repealed. It had the voice of millions against it. He hoped to see some measure immediately brought forward, to which he could agree.

Sir Henry Parnell said, on the proper occasion, he should be able to prove that the experiment had not failed; and, that much of the prejudice existing against it owed its origin to misrepresentation. It was a measure of almost vital necessity to Ireland, but some of its provisions required farther consideration. The main object of the Bill, to enable the landlord to enforce the covenants made by the tenant, ought to be supported. The common-law would not do this, and, therefore, the measure was necessary.

Sir Robert Bateson expressed a hope, as the Bill was most unpopular in Ireland, that it would be materially modified. It was said to be in contemplation last session to bring in a bill free from the defects of the present Act. If the Government were not very remiss, it would do something in this and other measures necessary for the relief of Ireland. Much had been promised, but nothing had yet been done, by the present Government.

Mr. Crampton said, that no time could be found for any measures until the Reform Bill was passed; but the long speeches of the hon. Baronet, and his friends, at that (the Opposition) side of the House, delayed the progress of the Bill.

Sir Robert Bateson said, that he had never once opened his lips on the Reform Bill this Session.

Mr. O'Connell said, that the greatest misery had accrued to many individuals by the operation of the Sub-letting Act, which had been carried beyond what the Legislature intended. The right hon. member for Queen's County (Sir H. Parnell) had said, that it had not failed: certainly it had not; for the utmost distress had been caused by it to many hundred families, who had been thrust from their homes by their landlords, without any place to lay their heads.

Sir Henry Parnell must beg to correct the hon. and learned Gentleman. The Sub-letting Act gave no power to a land-

lord to dispossess his tenant; that was done under the operation of other laws.

Mr. O'Connell had not said it did enable the landlord to do this, but he did say, that it prevented any man, when turned out of his holding, from getting in elsewhere.

Sir Henry Parnell was glad to hear it admitted, that they were not thrust out under this Act.

Mr. James Grattan said, a tenant was required to turn out his under tenants, unless the landlord gave permission to keep them in.

Mr. Ruthven said, the operation of the Act was such, that a man, turned out from one place, could get into no other.

Petition to lie on the Table.

REFORM BILL—PETITION FROM CARDIFF.] Lord Patrick James Stuart presented a Petition from the inhabitants of Cardiff, who, though favourable to the Reform Bill, complained of the injustice of being annexed, as a mere suburb, to Merthyr Tydvil, with which it had no connexion, for the purpose of returning a Representative to Parliament. The petitioners stated, that the town of Cardiff was very populous, and the seat of perhaps the largest iron manufactory in the kingdom, and that it, together with the contributory boroughs, contained not less than from 450 to 480 10l. houses. It was proposed, by the Reform plan, that the franchise, and the right to return Representatives to Parliament, should, in the case of Cardiff, be shared with certain other towns and places in the county of Glamorgan—namely, Llandaff, Cowbridge, Merthyr Tydvil, Aberdare, and Llantrissant, of which Merthyr Tydvil contained a population of 25,000 inhabitants, which alone was so great as to enable that town to overwhelm the interest of Cardiff. The petitioners were, therefore, of opinion, that they ought to possess the privilege of returning a Representative for themselves. They also considered, that Merthyr Tydvil, containing a population of 25,000, was entitled to return a Representative of its own. He was of opinion, that that part of the Bill to which the petitioners alluded, would, if not amended, inflict an act of injustice on the petitioners.

Mr. Alderman Thompson confirmed the statement of the petitioners, that there was no natural connexion between Cardiff and Merthyr Tydvil; they were, in fact,

situated many miles apart. He had a petition from Merthyr Tydvil in his possession, in which it was stated, that great dissatisfaction would be felt by the inhabitants, if that town were to be associated with any other place, for the purpose of returning a Representative to Parliament. According to the principles of the Reform Bill, this town was entitled to have one Representative for itself. In 1821, it contained 19,000 inhabitants, and 680 10l. houses; and, at present, the population was bordering on 30,000, and the number of 10l. houses was 800. The petition which he had received, stated, that Representation was to be given to no fewer than twelve places, containing a much less population, fewer 10l. houses, than Merthyr Tydvil, and being much inferior to it in a commercial point of view.

Lord *Althorp* thought, that the subject would be discussed with more convenience when the question respecting Merthyr Tydvil came regularly before the Committee. He would only assure his noble friend (Lord P. Stuart), that if his Majesty's Ministers had been guilty of injustice towards Cardiff or Merthyr, the error proceeded from inadvertence, and not from intention.

Colonel *Wood* spoke against the union of Cardiff with Merthyr Tydvil; and gave notice, that, when the question came before the House, he should move, that Merthyr Tydvil have a Representative for itself.

Mr. *J. L. Knight* said, that Glamorgan-shire was an important county, both in an agricultural and commercial point of view, and he complained, that it was left, by the provisions of the Reform Bill, with only four Members, while a much larger proportion was given to Lancashire. By the proposed plan of joining Cardiff to Merthyr Tydvil, the former place would, as to Representation, be entirely extinguished.

Petition referred to the Committee on the Reform (England) Bill.

HOLLAND AND BELGIUM.] Sir *Rich. Vyvyan* wished to ask a question of the Secretary of State for Foreign Affairs; but, as that noble Lord was not in his place, he would beg leave to apply himself to the noble Lord opposite. It was well known, that the King of Holland had intimated his intention of breaking the armistice which had been concluded be-

tween Holland and Belgium. The question, which he wished to ask, was, whether his Majesty's Government had received official information—whether the King of Holland had formally notified to them his intention of terminating the armistice?

Lord *Althorp* answered, that his Majesty's Government had received, from Sir Charles Bagot, official information of the intention of the King of Holland to put an end to the armistice between Holland and Belgium.

Sir *Rich. Vyvyan* then gave notice, that he would to-morrow move for the production of certain papers, for the purpose of throwing light upon the transaction.

Mr. *Croker* begged to ask, if his Majesty's Government had received any communication on the subject from the Dutch government?

Lord *Althorp* repeated, that the first communication which his Majesty's Government had received, was from Sir Charles Bagot.

Mr. *Croker* observed, that it was a matter of great importance, whether his Majesty's Government had received the communication of the intention of the King of Holland to terminate the armistice directly from the Dutch government, or by a circuitous channel.

Lord *Althorp*: I must, in reply to the right hon. Gentleman, say, that it was with the greatest surprise that his Majesty's Government learned from Sir Charles Bagot, that it was the intention of the King of Holland to put an end to the armistice; for, at that moment, a Minister was sent to the British Court by the King of Holland, with orders to enter into a negotiation on the matters pending between Holland and Belgium. That Minister had an interview with my noble friend, the Secretary of State for Foreign Affairs, in which interview he did not mention a word of the probability that the armistice would be broken; and, it was not until the evening, and after a question had been put on the subject in Parliament, by a noble Lord, that my noble friend received despatches from Sir Charles Bagot, informing him, that it was the intention of the King of Holland to terminate the armistice between Holland and Belgium.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—SEVENTEENTH DAY.] The House, on the

Motion of Lord Althorp, went into a Committee on the Reform of Parliament (England) Bill.

The Chairman, (Mr. Bernal), put the question, "That Brighthelmstone, including the parish of Brighthelmstone, Sussex," stand part of Schedule D.

Lord *Dudley Coutts Stuart* said, that it had been his intention to move, that the important parish of Hove should be added to Brighthelmstone; but he should not do so, as he understood that the parliamentary Commissioners would have the power, if they thought fit, to add that parish.

Mr. *Croker* said, there were other townships as near Brighton as Hove, what was to be done with them?

Lord *Althorp* said, that was not the question before the House, but the question was, whether Brighthelmstone should have the privilege of sending Members to Parliament.

Mr. *Curteis* said, that Brighthelmstone was a very flourishing and increasing place, and contained no less than 40,000 inhabitants, and had risen to that eminence, from being a mere fishing town, within the memory of many persons now living. He had presented to the Government a memorial from the inhabitants, in which they pressed their claims to have two Representatives allowed them. That memorial had been taken into serious consideration by his Majesty's Ministers, and he was not disposed to object to the decision to which they had come, not to take Brighthelmstone out of schedule D. He was bound to say, that a large portion of the agricultural interest of Sussex were of opinion, that Hove should be added to Brighton. He wished to say, that he came into Parliament perfectly unshackled as to the course he should think proper to pursue, but he was friendly to the Reform Bill, because he believed it would prove beneficial to the country. He must, however, be permitted to allude to what had been remarked by an hon. Member in the House, that the agriculturists were selfish, and desired to exclude the mercantile interest from their proper share of Representation. He was fully aware that the manufacturers were the best customers of the agriculturists, and he was proud to acknowledge himself connected with the landed interest; but as the manufacturing interests were inclined to take away all protection from them, he for one would openly say, that he would support every measure tend-

ing to maintain their full share of Representation in the hands of the agricultural 'interests. He was glad to hear the right hon. Baronet (Sir Robert Peel), state the other night, that he would support the agricultural interest; and he agreed with the right hon. Baronet in thinking, that the manufacturing interest was already too powerful in that House. He was therefore very much surprised to see the right hon. Baronet vote for the Amendment of the noble Lord, the member for Northamptonshire (Lord Milton), because he was convinced, that if that Amendment had been carried, it would have inflicted the severest possible blow upon the agricultural interest.

Lord *Milton* said, that he had intended to move, when the Committee came to Bradford, that certain towns should be added to it; but as he now understood, that the parliamentary Commissioners were competent to make that addition, he should not press his Motion; and he requested the friends of the measure not to enter into discussions upon all the towns in the schedule, or otherwise it was quite certain, that a great deal of the valuable time of the House would be wasted.

Mr. *Stuart Wortley* said, that the different boroughs were described in the Bill by particular limits, and yet, after the House had discussed whether the limits mentioned should be limits of the boroughs, they were now told that parliamentary Commissioners would possess the power of entirely annulling the decisions of the House. This he considered a perfect mockery of legislation, and it would be much better to leave the whole schedules to be settled by the Commissioners. Yesterday there was a long debate about Walsall and Wedgebury, all of which might have been spared if the Committee had been aware of the extensive powers of the Commissioners.

Lord *Althorp* said, that if the powers of the parliamentary Commissioners were as extensive as they were described to be by the hon. Gentleman, those Commissioners would undoubtedly possess most extraordinary authority; but the fact was, as he had stated last night, that these Commissioners would only possess the power of defining the limits of the towns to be created boroughs. With respect to those places which were already boroughs, they would be obliged, if the constituency was less than 300 persons, to take in part of

the neighbourhood, until they obtained the required number of voters.

Mr. *Goulburn* concurred with his hon. friend (Mr. *Stuart Wortley*), that if the parliamentary Commissioners were to possess the power given them by the Bill, the House was only wasting time in discussing whether particular parishes should or should not be added to certain places. The Bill gave the power to the Commissioners of adding to every borough such adjoining parishes as they might think fit.

Sir *Charles Wetherell* wished to know, whether the limits of the new towns were to be considered definitively fixed by the description in the schedule; or whether the Commissioners would have power to add to their extent whatever might be the resolution of the House?

Lord *John Russell* replied, the new boroughs were intended to be as defined in the Bill, except that where parts of parishes came into towns, the Commissioners would have power to add those parishes to the towns.

Mr. *Goulburn* asked, whether it was the intention of Ministers, when they came to the twenty-fourth clause, to limit the power of the Commissioners in respect to their adding to the population of towns by including a parish which had been deliberately excluded by the House.

Lord *John Russell* replied, the Ministers had no intention of proposing any alteration in the twenty-fourth clause.

Mr. *Goulburn* said, that in that case the Commissioners would have it in their power to overwhelm the population of the boroughs established by Parliament.

Sir *James Scarlett* had the greatest possible objection to the appointment of Commissioners to do that which the framers of the Bill ought to have themselves done or allowed the House to do. Unless the twenty-fourth clause was limited, the Commissioners would have full power to undo all the House had done in the formation of these boroughs.

Mr. *Kemp* said, he believed, that he spoke the sentiments of the majority of the inhabitants of Brighton, when he said, that they attached more importance to the benefits which they, in common with the rest of the country, would derive from the Bill, than they did to the privilege of returning an additional Member.

Lord *George Bentinck* declared, that he was of opinion, Brighton ought to be placed in schedule C. It was a town of

great population; it was rated in 1821 at 39,000 inhabitants and had increased considerably since, having extended itself into the parish of Ovingdean in the East, and Hove in the West. It paid more to the assessed taxes than almost any one of the towns in schedule C; and as large an amount as fourteen of the places in schedule D. The circumstance, also, of its being a royal residence, and its possessing many permanent establishments of the nobility, entitled it to consideration. In conclusion he gave notice, that if some person better qualified did not come forward, he would move, when the Report was brought up, that Brighton should have two Members.

Sir *Charles Burrell* said, he concurred in the sentiments expressed by the noble Lord who spoke last, and thought, that the case of Brighton deserved the attention of Parliament. Some hon. Gentleman had asserted, that the inhabitants were indifferent as to whether they were to have one or two Members, but the fact of the inhabitants having petitioned the House on the subject induced him to believe they were not so very indifferent about the matter. The population of Brighton at the present moment must be nearly double what it was in 1821.

Lord *Althorp* said, that it was not fair to compare Brighton with great manufacturing districts, merely with reference to the amount of assessed taxes paid by them respectively. The prosperity of Brighton depended on circumstances totally different from those which were the foundation of the wealth and importance of the manufacturing towns. Many persons had doubted the propriety of giving Brighton even one Member: he, however, thought it had a claim to one Member.

Mr. *Kemp* had never used an expression which could lead the hon. Member to suppose the people of Brighton were indifferent to being enfranchised; he had only said, they would be sorry to throw any obstacle in the way of the Bill, by insisting on their own claims. No doubt they would prefer two Members, if that could be made consistent with the other provisions of the Bill.

Sir *John Sebright* said, he was one of those who were for the Bill, the whole Bill, and nothing but the Bill. He thought it a measure eminently calculated to promote the happiness, and to add to the security of the country. He, therefore, was de-

terminated not to lend himself to any captious objections, but support Ministers in carrying through the Bill as it stood.

Lord *William Lennox* said, he perfectly concurred in the sentiments which had fallen from the hon. Baronet, the member for Shoreham. He thought, that Brighton ought to have the privilege of sending two members to Parliament, not only on account of its population, but also on account of the large amount of assessed taxes which it annually paid—namely, 1,800*l.*—an amount within 11,000*l.* of the assessed taxes paid collectively by Sheffield, Sunderland, Devonport, and Wolverhampton, four of the new boroughs in schedule C. With regard to population, Brighton contained 632 10*l.* houses; 951 20*l.* houses; and 1,180 40*l.* houses. The argument advanced on a former evening, against giving two Members to each of the boroughs in schedule C, was, that it would give a preponderance to the manufacturing interest. That objection could not apply to Brighton, and when he looked at its wealth, its population, and the respectability of the actual residents, he thought that it ought to have the benefit of two Members.

Mr. *Littleton* objected to the propriety of taking the amount of assessed taxes as the test of the prosperity of the manufacturing districts. Their capital was employed in trade. The capital of some of the places which had been referred to in that conversation, would buy Brighton three times over.

Lord *George Lennox* said, that although a large body of his constituency resided in Brighton, he would oppose the proposition for giving two Members to that town, whenever it should be made. The population, it was true, was returned at 40,000; but, he asked, how many of that number were really inhabitants of Brighton? He knew that, on taking this course, he was not consulting his private interest, because he should lose considerable electioneering support; but motives of private interest should not weigh with him. It would be a satisfaction to him to know, that he had not sold a vote for private advantage.

Mr. *Croker* said, that if he had not expected that the clause respecting the Commissioners would be amended, he should before have objected to it. If the Commissioners were to be allowed to ex-

ercise their power to the extent which the noble Lord, the other member for Northamptonshire (Lord Milton), seemed to conceive, it would cause the greatest possible confusion. He wished to understand, that the Commissioners were not to have a wild power of fixing the limits of boroughs according to their own discretion. The noble Lord (Lord John Russell) said, the schedule named Brighton simply; but then the Commissioners under the Act might add other parishes. It was absolutely necessary, therefore, that the point should be clearly settled. It should be understood, that the settlement now made was to be final, excepting in cases where there was an accidental and unlooked-for overflowing of population. All difficulty would be avoided in the case before the House if the words "town of Brighton" were substituted for the words "parish of Brighthelmstone."

Lord *Althorp* said, he must decline entering into that discussion at present, but he would certainly take the alteration proposed by the right hon. Gentleman into consideration.

Mr. *Goulburn* observed, if the noble lord had made that declaration in proper time, the whole of the debate might have been avoided; but he was distinctly understood to state, he would agree to no amendment.

Mr. *Stuart Wortley* feared they were likely to meet with many difficulties, unless some alteration was made in the Bill. By one of the clauses, the Commissioners to be appointed were empowered to add any district to a town for Representation. To many of the places enumerated in the schedule now under their consideration, no limits were defined, but it was left to the Commissioners to settle that point hereafter, at their discretion. This part of the Bill required amendment.

Lord *John Russell* said, the Commissioners would be guided by the natural limits of the borough.

Mr. *Croker* understood by this, that the Commissioners were simply to distinguish the borough from the county. They would, of course, have authority to alter the scale of population adopted by the House.

Colonel *Evans* thought, that Brighton was entitled to two Members. It had become, not only the residence of the noblest and highest in the land, but was also the general resort of retired and wealthy

tradesmen. Of the latter most important and respectable class, at least 1,000 could be found qualified to vote. It had been said, its population depended on the caprice of fashion; but as long as London continued in its present greatness, the nearest sea-port town would be always a place of general resort. But, notwithstanding these claims, he would not interfere with the arrangements of Ministers.

Question agreed to.

The next question was, "that Bolton-le-Moors, including the townships of Great and Little Bolton, Lancashire, stand part of schedule D."

Mr. *Croker* thought it unjust that Bolton, with a population of 44,000 should have only one Member, whilst Northallerton, with the very small population of 4,000 had two.

Colonel *Torrens* said, that the flourishing town of Bolton was, with respect to population, the third town in Lancashire; while, in point of manufacturing importance, it was the second—yielding only to Manchester. The cotton factories of Bolton were superior to all others; and flax and paper were manufactured to a considerable extent. Thus, Bolton had many important interests to be protected and watched over. It was a town very remarkably distinguished for enterprise and intelligence. Arkwright had been an inhabitant of Bolton; and hon. Members would recollect, that Crompton, the inventor of that part of manufacturing machinery, denominated "the Mule," had obtained a parliamentary grant of 5,000*l.* for that important improvement, which was now in universal use. He conceived, that the great population, the rapidly increasing property, the intelligence, and he might add, the glory of Bolton, fully entitled that town to send two Members to Parliament. Should no more experienced Member undertake the task, he should feel it to be his duty, when the report of the Committee on the Reform Bill was brought up, to move, that Bolton be taken out of schedule D, and placed in schedule C.

Motion agreed to.

The question was then put, "that Blackburn, including the township of Blackburn, Lancashire, stand part of schedule D."

Mr. *Croker* said, the case of Bolton, which he had before noticed, applied also to the town of Blackburn.

The question carried.

The next question was, "that Bradford, including the township of Bradford, Yorkshire, stand part of schedule D."

Mr. *Farrand* said, that he was well acquainted with the local circumstances of the place now under consideration, and he wished, therefore, to be allowed to make some remarks to the Committee. As the Bill at present stood, it formed the township of Bradford into a borough, but it was right the Committee should know, that the township of Bradford did not embrace the whole town of Bradford. The town of Bradford occupied three townships; and it was essential to the interests of that town, that those townships should form the new borough. The noble Lord (Milton) thought the matter might safely be left in the hands of the Commissioners; but he had no such confidence in the Commissioners, and he trusted the alteration would be made by the Committee. The persons who gave employment to the artisans, and created and maintained the manufactures of the place, did not reside in the hundred of Bradford, and he could state to the Committee, upon the authority of a great majority of those persons, that they were extremely anxious to see the alteration he had suggested carried into effect. Indeed, without that alteration, he might say, that those most interested in the welfare of Bradford, and who most contributed to its prosperity and wealth, thought it would be better the place should be left without the power of sending a Member to that House. The noble Lord, in his opening speech, had stated, that the Government wished the measure to be final; but that, he was certain it would not be, at least, with respect to Bradford. A petition had been presented from that place, numerous signed by the working classes, calling for Universal Suffrage, Vote by Ballot, and Annual Parliaments. He had opportunities of knowing the sentiments of the most respectable and wealthiest inhabitants of the town and neighbourhood, and they had informed him that they were not satisfied with the arrangements of the Bill. Under these circumstances, he should not do his duty if he did not move, that the borough of Bradford should include the townships of Horton and Mannington.

Lord *Morpeth* was inclined to believe, that the three townships in which parts of the town were situated should be in-

cluded in the borough, but he thought the definition of the town had better be left to the Commissioners. He suggested, that the word "town" should be adopted instead of that of township.

Mr. *Farrand* would be quite content if the noble Lord's suggestion was adopted.

Lord *J. Russell* had no objection to it.

The word town was substituted for township, and the question as amended carried.

The next question was, "that Cheltenham, including the town of Cheltenham, Gloucestershire, should stand part of schedule D."

Lord Althorp moved as an amendment, that after the word "town," the words "and parish" should be inserted.

The question, as amended, agreed to.

The question, "that Dudley, including the parish of Dudley, Worcestershire, stand part of schedule D," was also agreed to.

On the question, "that Frome, including the town of Frome, Somersetshire, stand part of schedule D,"

Mr. *Dominick Broune* said, he was thoroughly friendly to the Bill, but he wished his noble friend (Lord Althorp) would pause and consider whether he was not giving the power of returning Representatives to too small communities. He wished to hear the grounds upon which some of the places in schedule D were to acquire the right of returning Members. He was decidedly favourable to places returning but one Member, and indeed he wished no place was allowed to return more than one Member. He had represented a place many years, which had the right of sending two, and the consequence was, that his hon. colleague and himself were directly opposite in their political opinions. He could not understand upon what principle, Frome, Gateshead, Whitehaven, Kidderminster, South Shields, and some other places, were to return Members. If the Representatives for England were taken in round numbers, at 500, and the assessed taxes at 5,000,000*l.*, then it followed, that a place ought to pay 10,000*l.* in assessed taxes to entitle it to return a Member to that House. Now it appeared, that Frome only paid 1,960*l.* With respect to population, it ought at least to have a population of 24,000 souls.

Lord Althorp said, Frome was a large town, with 12,000 inhabitants, and the seat of an important manufacture in the south of England. It was included in the

Bill, because Ministers were desirous to give an adequate Representation to the South and West of England, as well as the North.

Lord *Granville Somerset* contended, that Frome was fully entitled to have a Member, and he regretted, that the hon. member for Mayo had reserved his objections till they came to Frome, which was one of the few places in the West of England to be enfranchised. For the reasons alleged by the noble Lord, which he thought correct, the extension of the franchise in the west ought to be carried further.

Mr. *Sandford* was of the same opinion. The hon. member for Mayo could never have seen the town of Frome, or he would not hesitate to agree that it ought to return a Representative. It carried on a fine woollen-trade in contradistinction to the coarse woollen trade established in Gloucestershire.

Question carried.

On the question being put, "that Gateshead, including the parish of Gateshead, Durham, stand part of schedule D,"

Mr. *Croker* said, the Committee was now come to an important question—a question which naturally attracted peculiar attention, because it involved the consideration of the extraordinary increase which the Bill made in the number of Representatives to be returned by the county of Durham. That the county itself was to have four Representatives, he would not, at present, quarrel with—on that point he should say something hereafter, but most certainly some explanation was necessary from the Government, to account for the erection of three towns in this county, and particularly Gateshead, into boroughs. The hon. member for Mayo had objected to constituting this new borough in Durham, on the ground, that no evidence had been laid before the House of the necessity or propriety of that step; but he was prepared to shew, that the hon. member for Mayo had even understated the facts of the case, and that there were four new boroughs to be constituted in this neighbourhood. As all the Members ought to know, and many did know, the town of Gateshead was merely the southern suburb of Newcastle; and, if Ministers wished to act on the same principle which they had adopted in other cases, nothing could be more proper than for them to have added the town of Gateshead to that of Newcastle.

The town of Newcastle contained a population of 35,000 souls, and it was to return two Members, although there were several places in schedule D which had superior populations, and were to return only one Member each to that House. Supposing Newcastle to be fairly entitled to two Members, what was the situation of Gateshead that entitled it to return one Member? Gateshead was not a place of such importance, and was not in its avocations, or by possessing a separate class of population, so distinct from Newcastle, as to entitle it to send a Member to that House. He therefore contended, in pursuance of the line of conduct which had been in many instances adopted, that Newcastle and Gateshead might have been united, and if that had been done, even then the total amount of population of the borough so formed, would not exceed the amount of population of Bolton, which was to have but one Representative. He was, therefore, not at all astonished at hearing the remarks of the hon. member for Mayo; those remarks were natural enough; but if that hon. Member had come to the view he had taken, merely upon the consideration of the individual case of Gateshead—how much more strong would have been his objections to giving Gateshead a Representation if he had considered how it was situated with respect to Sunderland, and to South Shields, and to North Shields, or Tynemouth, as it was called. Within a very small district, four new boroughs were to be created. Sunderland was distant from Gateshead ten miles, and Sunderland was to send two Members to Parliament. South Shields was at a less distance from Sunderland than Sunderland was from Gateshead, and it was to send one Member. And North Shields, or Tynemouth, was situated close to South Shields, and it also was to return one Member. So that, within a circuit of about ten miles, four new boroughs were to be erected, and of those four boroughs, two were of such dimensions as to attract the disapprobation or doubt and remark of the hon. member for Mayo, in all other points a zealous supporter of the Bill. Now let them look at their individual claims. The largest of them (Sunderland) was to enjoy the double Representation, although it was only by adding to its population, that of Bishop's Wearmouth and Monkswearmouth, that it could be made to

amount even to a plausible number, while other places, with a larger population, were to be allowed to send only one Member. Assisted as it was by the addition of these two suburbs, the borough of Sunderland had a population only of 33,900, while Bolton had a population of 44,000. He did not mean to argue the question as if the noble Lord had laid down any precise and positive rule for the guidance of the Committee. The noble Lord had, indeed, in his opening speech, talked of a population of 10,000 souls entitling a town to one Member, and a population of 50,000 souls entitling a place to two Members; but really that scale had been so frequently departed from, that he felt he could not insist upon it, in the present argument, with any probability of success. The conduct of Government, therefore, had deprived him of any benefit he might have derived from that scale; but then he had the advantage of the argument he might address to the discretion and the justice of the Government; for if they assumed a discretion to abandon their original scale, they surely had a discretion to abandon every other part of their plan, which might turn out to be unjust. Of this argument he could not be deprived, and he now appealed to the justice and to the discretion of not merely the Ministers, but of the House and the country, and he asked upon what principle they could refuse the right of returning two Members to the gigantic towns of Yorkshire and Lancashire, while that right was bestowed upon an inferior borough in Durham? Such an arrangement appeared to him to set all propriety and principle at defiance. It could not be alleged that Sunderland required a double franchise because it was situated in a district barren of Representation, for it had in its immediate neighbourhood, Newcastle, and was to have the new boroughs of South Shields, North Shields, and Gateshead, all within a circuit of ten or a dozen miles. Then he asked again, why was Bolton, with 44,000 inhabitants, to return only one Member, and Sunderland, with a population of 33,000 inhabitants, to return two Members? He could not expect to produce much impression upon that Committee, for he had already seen, that places which had, what appeared to him to be extremely strong claims, were declared by the majority to have no pretensions at all. He might again be mis-

taken, as he supposed he had before been mistaken; but to his humble powers of reasoning, the case he had now stated was unanswerable. The Committee, however, would, of course, think otherwise—but it was some consolation to him to be opposed, not so much by reason—as by an acknowledged determination of the supporters of the Bill, to pass over all anomalies, and to get through the measure post haste, without pausing even for a moment to correct or attempt to correct its errors. But he begged hon. Members to consider, that the difficulties which had beset former cases had nothing to do with this. In the case of Dorchester, reason, common sense, and justice, could not be listened to, because they would lead to a conclusion which would interfere with the case of Guildford; and if Guildford was successful, then Chippenham would have an undeniable claim. But, in the present case, there was nothing of that sort; the principle of the Bill was in no danger; it was not assailed in any way; and he did implore the Committee to look seriously at what it was doing, and endeavour to make this final Bill—this healing, conciliatory, and satisfactory measure, as its friends called it—a just and consistent one. Northallerton, with a population of 4,000 souls, was to return two Members; and Sunderland, with a population of 33,000 souls, nearly ten times more than Northallerton, was equally to return two Members: while Bolton, with a population of 44,000 souls, eleven times greater than Northallerton, was to return only one. It was curious, that as he proceeded into this cluster of fortunate boroughs—and as it would save the time of the Committee, perhaps, if he took that opportunity of going through them all, he should do so—it was curious, that as he proceeded in an examination of the cases which those lucky boroughs presented, he found reason to use, if possible, still stronger remarks than the case of Sunderland, as compared with Bolton, would have justified. South Shields was the borough he had next to notice. South Shields had only a population of 8,885 souls. No; that would not do. Such a population would never pass muster, although South Shields was in this lucky district—although South Shields was recommended by he knew not what patronage—a mere population of 8,885 could not suffice. But was there no hamlet, no township, no chapelry, that could be annexed? If the

worst comes to the worst, let us add to it Gateshead. There is but half the distance between South Shields and Gateshead, that there is between Northallerton and some of the places united with that town. If Gateshead had been united even with Sunderland, the total amount of population would have been inferior to that of Bolton; and if Gateshead had been united to South Shields, even thus assisted that borough might have incurred the disapprobation of the hon. member for Mayo, for its total amount of population would have been little more than 20,000. But Gateshead was reserved for higher destinies than to be a make weight in the scale of South Shields; and it occurred to some friend of this peculiar district, that there was a certain parish called Westoe, and that that parish, which contained 7,600 inhabitants, might be added to South Shields. Now it should be remembered that the parish of Westoe was not a town—not one continuous town—a portion of it did indeed join the town of South Shields, but the portion that did join, and the portion that did not join, were alike added to South Shields, and even thus assisted, the total amount of population in that borough would only be about 16,000 souls. Some hon. Members seemed by their manner to imply that Westoe was a town. That was not the fact, part only of that parish was built upon; but he would grant that it was a town, he would allow that there was not one acre in that parish that was not occupied by a street or square, and having done so, he would ask the Committee how it could reconcile what it was called upon to do in this district—how it could, with consistency or justice, give a distinct Representation to South Shields, it having North Shields and Sunderland in its immediate neighbourhood, after what it had done with respect to other districts and towns in other parts of the country? [*An Hon. Member said something across the Table.*] An hon. Member informed him, that North Shields and South Shields were on different sides of the river Tyne. He was much obliged for this local information; but the hon. Member need hardly have put himself to the trouble of giving it, for he was before, he begged leave to assure him, not ignorant of the fact that the river Tyne runs between North Shields and South Shields. But there was another fact which naturally connected itself with

the one mentioned by the hon. Member. It had been commonly said, that a river divided places; but the philosophers of France, who divided that country into departments—an ominous recollection—laid down, and correctly too, that a navigable river united, and not divided places. The river Tyne united and as it were, incorporated North and South Shields, for it was a great and navigable river, and gave to these towns a community of interests and of employment. Whatever might be said of a brook which soiled a lady's slipper to cross it—however distinct that might make two places, and create a distinct political interest, a great and navigable river must always unite the towns upon its opposite banks. But he would state the case in a way which would, in the estimation of all parties, be certainly fair. If South Shields, like Bolton, had a population of 40,000 souls, and North Shields had also a population of 40,000 souls, he would not require that they should be united. He would say, that it was consistent with the principle of the Bill, to give them distinct Representations, although their population would still be far inferior to the population of St. Pancras. But when this was not the case, when the population of these places altogether was not above one-third that of Marylebone, and not above the half of that of Pancras, and when, supposing that all these boroughs were formed into one town—as, in fact, they ought to be considered, for they were all in the neighbourhood of each other, and had but one avocation and one local interest—he found their population greatly short of the population of towns having only one Representative, then he must say, that the arrangement was clearly bad, and against all justice and reason. South Shields had a population of 8,885, North Shields had a population of 8,200, and Gateshead had a population of about 11,000; so that the whole population of the three places amounted at most to 28,100; and if three Members were to be given to that population in the county of Durham, surely it would be but justice to give two Members to a population of 44,000 in the county of Lancaster. If the framers of the Bill had proceeded upon just and intelligible principles, this was the way in which those places ought to have been treated; and, by this mode of proceeding, a fair proportion, and no more, of the Representation would have been given to the

nook in which these favoured towns were situated. But in the estimation of some extraordinary influence, three boroughs were not enough for this Elysium of franchise; a fourth borough must be added to the curious list already gone through. It was common to talk of population following coal, but this was indeed following coal with a vengeance; and the town of North Shields, which had, at best, but a claim to be united with South Shields was constituted into a separate borough, that it might not at all interfere with or deteriorate the Durham Representation. The towns of North Shields and South Shields, taken together, had a population of about 17,000 souls. Now, that was a small population according to the Bill, and, in order to swell it out, and to bolster it up to something like the required amount, let the population of Westoe be added. With that addition the population would consist of 24,000 souls, and to that population he for one should be glad and ready to give one Member. But why give more? Why should a population of 24,000 in Durham and its neighbourhood have more Representatives than a population of 44,000 had in Lancashire? Upon what principle had the Government gone in framing this part of the Bill? The town of Clitheroe had been separated from the parish of Clitheroe—and that, it was said, merely because the parish was too large. That was a very unfair distinction to make, but when the case of these Durham boroughs was considered, it became singularly unjust and unprincipled. The Committee would remember, that in Lancashire the franchise was not given to the *parish* of Bolton, but to the *townships* of Great and Little Bolton. If the franchise had been given to the *parish* of Bolton, then that place must have had two Representatives. But in this case under consideration, not only was the *town* of Tynemouth united with North Shields, but the *parish* of Tynemouth was also thrown in to swell out the population to the necessary amount. This was of importance, for there were a great number of townships in Tynemouth. [*An Hon. Member said "No."*] The hon. Member says "No," continued Mr. Croker, "but I repeat my observation; and I must tell that hon. Member, that whatever may be his local information upon the point, I am not in the habit of addressing the Committee without having made

myself at least master of the facts of the case. I may want judgment to enable me to draw correct conclusions—I may want talents to enforce my arguments, but at least, I have, and employ that humble industry which enables me to arrive at the facts which I venture to state to the House." The parish of Tynemouth contained several townships, and it was all included, although a different course had been pursued with respect to Bolton, Bradford, Blackburn, and the parish of Whalley. This was the fact, and he did not see any just ground for acting differently in the case of Tynemouth, merely because it happened to be in the county of Northumberland, and adjoining the palatinate of Durham. If these four new boroughs were in different districts, if they had been at a considerable distance from each other, then they might, perhaps, have passed without attracting such peculiar attention, but as they were circumstanced, that was impossible. What the Ministers chose to think a large population in Durham was in their opinion but a small population in York; but with such reasoning, common sense would not be satisfied. The county of Durham was suddenly to be over-run with Representatives, and one particular nook of it was to be the point of especial favour. This was a matter which required explanation, and that explanation must come from the Government; for it was not to be derived from the most attentive consideration of the population returns, nor of the principles of the Bill, nor the wealth, importance, or other claims of the new nest of manufactured boroughs. For his own part he had no connexion with those places—no personal or local interests. Independently of fairness, of common justice, and of common sense, he had no object to contend for; but on behalf of these, he was bound to pursue the investigation he had gone into, and to ask the Ministers how they could account for the accumulated unfairness and irregularity with which, as it at present appeared, they had acted in forming these four new boroughs?

Lord *Althorp* said, he and his colleagues had fairly stated, that in the enfranchising part of the Bill, they would not tie themselves down strictly to a particular rule. Certainly, in looking to that portion of the measure, they kept population in view; but there were other points also which it was necessary for them

not to lose sight of. One of these points must be, how far different interests were at present, or ought to be, represented. Now they found on examination, that one class of the community—the shipping interest—from which he had received much opposition in the last Session, was not largely represented. When they discovered that considerable masses of people were thus situated, they thought it would be very desirable to give them Representatives. They therefore deemed it right to give Members to Whitby and to Sunderland, both being closely connected with the shipping interest. To Sunderland it was thought fit to add Bishops Wearmouth and Monks Wearmouth. He had no local knowledge of this place; and from the statement of the right hon. Gentleman, he was not inclined to believe that he had much. He was, however, informed, that Sunderland and Bishops Wearmouth formed one town. That being the case, and Sunderland being nearly connected with the shipping interest, two Members were given to the town. The same observation would apply to the towns of South Shields and Tynemouth. The right hon. Gentleman had alluded a good deal to Durham. Now he ought to have recollected, that Tynemouth was not in Durham, but in Northumberland. Tynemouth, with its parish, contained upwards of 8,000 inhabitants, and South Shields, which was also a very large place, contained 17,000. Now it was because the three boroughs to which the attention of the Committee had been called were very large, and were all connected most intimately with the shipping interest of the country, that Representatives were given to them. The right hon. Gentleman said, that South Shields and Tynemouth could have been conveniently united, and have returned conjointly two Members. The right hon. Gentleman was aware that they are separated by the river Tyne, but he denied that this was a very material impediment. Water communication was sometimes highly serviceable, but, that a large navigable river, crossed only by a ferry, was to be regarded as connecting two towns in such a manner as to form them, for the purposes of this Bill, into one borough he could not admit. The chief ground for having these boroughs in this district was, that the amount of population was large in itself. The capital embarked in the places was very great,

and, above all, they were all intimately connected with the shipping interest. The right hon. Gentleman argued, that Gateshead should be joined to Newcastle, as had been the practice in other cases. He denied that such was the practice, and he knew of no such cases. The right hon. Gentleman could not find any instance where a borough of the magnitude of Newcastle, which sent Members to Parliament, had afterwards attached to it so large a district as Gateshead. [Mr. Croker : Sculcoates with Hull.] That case was very different from the present : Sculcoates and Hull were so closely united, that the boundary could not be ascertained, while Gateshead was separated from Newcastle by the Tyne, and they were in different counties. They were not so nearly connected as Manchester and Salford. Such a proceeding as that recommended by the right hon. Gentleman would be very unfair to Newcastle. He had, he repeated, very little local knowledge of the place, but the hon. member for Newcastle would probably state to the House the connexion between those two places, and the claims of Gateshead to return a Member. The right hon. Gentleman had insinuated, that those boroughs were created on a principle of partiality, in order to serve a noble friend of his who was connected with the county of Durham. He had already stated the ground on which Gateshead and the other boroughs were created—namely, with a view to the Representation of the shipping interest. That was the sole reason : and, as to any great extent of influence which the noble Lord to whom he had alluded could have in returning Members for very populous places, he thought that the idea was an absolute absurdity. If any of the members of the Government could imagine that a job like that would be attempted, they would unquestionably resist it to the utmost.

Mr. Goulburn said, the first reason which the noble Lord had adduced for creating these boroughs was, the necessity of giving additional Members to the shipping interest. He was glad to hear the noble Lord state, that he would do any thing for that important interest. But how was he going to effect this object ? He understood that Gateshead was a suburb of Newcastle, which had already Members, not more distinct from it than Salford was from Manchester. His attention had been drawn to different parts

of this Bill, and he could not see, that any particular regard was paid to the shipping interest. The first part he would notice was that of Kingston-upon-Hull, which had 32,000 inhabitants, and near it there was a suburb with 11,000 inhabitants—evidently forgetting, by his conduct towards Hull, his deep regard for the shipping interest. Was not, then, Kingston-upon-Hull as important a town as Gateshead ? Assuredly it was. “ But ” said the noble Lord “ Sculcoates shall not have a Member ; it is sufficient to join it with Kingston-upon-Hull ; while he refused to adopt a similar course with respect to Gateshead and Newcastle. These cases were precisely alike, and yet a very different course had been pursued towards them. If it was said Gateshead contained upwards of 10,000 inhabitants, why Sculcoates had as many ; Sculcoates was, in fact, the suburb of Kingston, as Gateshead was the suburb of Newcastle, and yet Sculcoates was to be united with Kingston, and not to have a Representative of its own. The importance of Kingston as a maritime town could hardly be denied. The population of Newcastle was 35,000, and the population of Gateshead was 12,000. Now the population of Kingston was 32,000, and the population of Sculcoates was 11,000 ; and he therefore contended, the cases were precisely similar, and yet the Government had pursued a different course of conduct with respect to them. The hon. member for Newcastle was, perhaps, going to tell them of the importance of Shields as a reason for its having a Member. If so, allow him to remind the hon. Member, that there had been a time when the member for Newcastle had declared, that North and South Shields were as nothing in comparison with Newcastle, and ought, therefore, to be debarred from those privileges which Newcastle enjoyed. The noble Lord (Althorp) might have been pestered, as he had been, with applications that separate Custom-houses should be given to North and South Shields, but the inhabitants of Newcastle had always contended against it, on the ground that the trade of Shields was, in fact, the trade of Newcastle. The explanation given by the noble Lord was by no means satisfactory ; the different treatment received by the two places was not accounted for.

Mr. John Hodgson said, that the first topic he should notice was, the burden of

the speech of the right hon. Gentleman opposite—namely, the supposed inequality in the Representation of counties under this Bill. Now, how many Members would be given to Durham by this Bill? In all, it would give ten Members. If, however, the right hon. Gentleman would compare the relative proportion of the population of England, and the population of the county of Durham, the right hon. Gentleman would find, that the number of Members due to Durham would be nine, so that the right hon. Gentleman had only one Member to dispute about. But then he did not understand that such was the principle upon which the Ministers had proceeded. Certainly it was not the principle on which he had supported the Bill. The principle of the Bill, as he understood it, was, that wherever there was a town which ought to be represented, one or two Members, as its claims might require, should be given to it, without any reference to the county in which it was situated. The right hon. Gentleman had told them, that Sunderland and the places joined with it, which contained a population of only 33,000, was to return two Members; while Bolton, and the places joined with it, which contained a population of upwards of 40,000, was to return only one Member. Now, he thought that the right hon. Gentleman had either been wanting in candour, or that he had been guilty of great inadvertence, when he made this statement. The right hon. Gentleman could obtain no such respective population for these places unless he had gone upon the returns of 1821 with regard to the one, and upon the returns of 1831, with regard to the other. He believed, that Sunderland had now a population of 43,000: it was more over the fourth port in the kingdom, and was, in all respects, a place of great consideration. He would venture to say, that there was no town in the kingdom, similarly situated, which had not been dealt with in the same manner in the Bill. He would next advert to an argument of another right hon. Gentleman, the late Chancellor of the Exchequer. That right hon. Gentleman had been pleased to anticipate what he was about to say, and to calculate upon an inconsistency between what he had said on former occasions, and what he should say to-night. The language, however, which he had used upon the occasion, referred to by the hon.

Gentleman was, that the trade and the merchandise belonged to Newcastle, but that the shipping belonged to North and South Shields; and that the fact of the trade and the merchandise belonging to Newcastle, was a reason for the Custom-house being at Newcastle, and not at North and South Shields: the amount of tonnage belonging to the three places was 170,000 tons. As to the question of joining North and South Shields into one borough, the right hon. Gentleman, in arguing that question, had joined them both to the county of Durham, and had never intimated that one was in the county of Durham, and the other in the county of Northumberland.

Mr. Croker had stated, that they were separated by the Tyne.

Mr. John Hodgson continued—Yes, but the right hon. Gentleman had, in his argument, joined both to the county of Durham, and had not intimated that the Tyne was the boundary of the counties. The interests of Gateshead and Newcastle were as distinct as those of Manchester and Salford. The statements, too, which had been made with regard to the population of Newcastle were not correct. In 1821, the population of Newcastle was 43,000, and that of Gateshead 12,000. At this moment, the population of Newcastle, taking the town and its suburbs, amounted to 55,000, while the population of Gateshead was not less than 15,000. In both cases, seamen, who formed a considerable body, were omitted. An attempt had been made to institute a comparison between Hull and Sculcoates, and Newcastle and Gateshead. The two cases, however, were as different as it was possible for any two cases to be. Sculcoates was, in fact, a part of Hull, and Gateshead was no part of Newcastle. Hull consisted of docks, warehouses, and streets, which contained shops, and the dwellings of the lower classes: the chief persons of wealth resided in Sculcoates. Now, Gateshead was not only no part of Newcastle, but it was in the county of Durham, and separated by the Tyne from Newcastle, which was in the county of Northumberland. The persons, too, living in Gateshead, carried on considerable manufactures, wholly independent of Newcastle. Though the population might not be so wealthy as that of Newcastle, it was very respectable, and very enterprising. Under these circumstances, he should certainly

support the proposition for giving a Member to Gateshead. He would only add (to borrow an expression from the Gentleman opposite), that, in his opinion, nothing could be so unfair as to swamp Newcastle in Gateshead.

Mr. Goulburn assured the hon. Gentleman, that he had not intended to make an invidious distinction or comparison between Newcastle and Shields. He had merely desired to remind him of the arguments made use of with regard to the Custom-houses.

Mr. Keith Douglas said, he knew Gateshead well ; and he must caution the Committee against relying fully on the arguments and reasons of the right hon. member for Newcastle, as from his connection with the place, he might unintentionally give a more favourable account of it than it deserved. He had yet heard no reason to justify the Committee in giving it a separate Representative. It must be clear to every person who visited the place, that Gateshead was a suburb of Newcastle, consisting principally of poor houses. It depended entirely upon the collieries, and that interest would be sufficiently defended by the two members for Newcastle. There was not the least necessity that it should have a separate Representation. If his right hon. friend (Mr. Goulburn) did not divide the Committee on it, he was disposed to do so himself, to mark his sense of the transaction. He knew there was no great interest in the place to represent, but that it would be dependent on Newcastle. It had been stated, that Members were so bountifully bestowed on this district, to represent the shipping interest, but Gateshead had no ships. The hon. member for Newcastle (Mr. Hodgson) allowed, that the county of Durham had one Member more than its proportion, and he should prefer giving that one Member to some other place, where the interests were inadequately represented.

Mr. J. L. Knight said, that far from imputing to Ministers that they had framed a public Act with a view to the interests of private individuals, he would not even allow himself to suspect, that any body of public men could be actuated by such disgraceful motives. The fault, then, which he had to find with this part of the Bill did not arise from any notion, that it had been framed with improper views. But let the Committee see what the Bill did. It gave one Member to Gateshead ; it

gave two Members to South Shields, including Bishopswearmouth and Monkswearmouth. [*Cries of "no, no."*] Yes, it did. [*Cries of "no, no."*] After looking at the Bill, the hon. and learned Member continued.] He meant two Members to Sunderland, Bishopswearmouth, Monkswearmouth, and one to South Shields. He was speaking of the Members which were given to places in the county of Durham, and it did not matter to what particular places those Members were assigned. He contended, that the rights of the freeholders of the county of Durham were sacrificed by the creation of this large borough-constituency in the county. He was informed, upon good authority, that when the town population was abstracted, there would be fewer voters for the four Members for the county, than there now were for the two. He wished to compare this case of Gateshead with the case of Merthyr-Tydvil. The population of Gateshead might be stated, in round numbers, at 11,000, or 12,000. He went by the population of 1821, which they had been told, over and over again, was to be their guide ; and this place adjoined the town of Newcastle, which had two Members. Now, the town and district of Merthyr-Tydvil was the chief place of the iron manufacture of the kingdom ; and, at the same time, contained 17,000 souls. It was situated in a district containing few Members, yet it was not to have one for itself. Brecknockshire returned only two Members, Monmouthshire three, and Glamorganshire two. By the scheme of this Bill, Glamorganshire would return four Members, but the other two counties would remain as they were. The total, therefore, under the new Bill, would be nine Members for these three counties. Now, when they were told, that particular interests ought to be represented in that House, he begged leave to ask, how the iron interest of South Wales would be represented under the new Bill ? He had already described the importance of Merthyr-Tydvil. As to its population, that amounted to 17,000 or 18,000, in 1821, and the population of its suburbs amounted to about 2,000, making, altogether, 19,000, or 20,000. The population had now vastly increased ; and yet a place of this great importance, and of this large population, was not allowed to return a Member, but was sent as a paltry adjunct to a seaport which had before re-

turned Representatives to Parliament. Thus, while, in Durham, borough had been heaped upon borough, this important place had been refused a Member for itself. Comparing Gateshead with Merthyr-Tydvil, he must ask, upon what principle of common sense or common justice it was, that a Member should be given to Gateshead and denied to Merthyr-Tydvil? He presumed it must be upon the principle, as had been said, that as the South had formerly rather more than its share of Members, the proportions were to be now reversed. He should certainly oppose giving a Member to Gateshead.

Mr. *Charles Wood* would state one or two facts which he thought would destroy the argument of Gentlemen on the other side. It had been said, that Gateshead was a suburb of Newcastle. Now, the fact was, that Gateshead and Newcastle were situated on different sides of the Tyne—that one was in the county of Durham, and the other in the county of Northumberland; and the two places were as distinct as it was possible for any two places to be. And yet, by Gentlemen opposite, these two places were compared with Hull and Sculcoates, which were, in fact, one and the same town, being under the same jurisdiction, and paying the same poor-rates. In answer to the hon. and learned Gentleman (Mr. Knight), who had just sat down, he must be allowed to say, that if the populations of Glamorganshire and Durham were compared, it would be found, that Glamorganshire would have the greater share of Representation. The county of Durham would have one Member to every 34,000 inhabitants, whereas Glamorganshire would have one Member to every 28,000 inhabitants.

Sir *Henry Hardinge* rose reluctantly on that question, on account of predilections for the county of Durham. He had represented the city of Durham for several years in that House, and he should be anxious, in the present struggle for Representatives, to obtain as large a share for that county, being closely connected with it, as was consistent with justice. He was glad that two Members had been given to Sutherland. That was no more than the fair distribution. No one could doubt that the town of Durham ought to retain its Members. He thought that it was only reasonable that South Shields should have one Representative. But, although he

had as strong a desire to increase the Representation of Durham as an hon. Member opposite showed, on the preceding night, to add to that of Staffordshire, he must say, that Gateshead was no more than a suburb of Newcastle, and that it had no right to send a Member to that House. He believed, there was no important interest in that place to be represented, and it would be extravagant to throw away a Member on it. He had no desire to disparage it; but he must say, that it was a trifling, insignificant place, compared to other places that were excluded from all share in the Representation.

Mr. *Sadler* said, there was a mistake in the statements of the hon. Member (Mr. Charles Wood). The population of the county of Durham, in 1821, was only 270,000. This, divided by ten, would give one Member for every 27,000 inhabitants, and not for every 34,000. If Representation was given in proportion to population, the great county of York ought to have sixty Members. This Bill introduced the most strange anomalies into every county, and into every district, and the anomaly was still greater as the deficiency of Representation was entirely among the rural branch, and no other branches of the population. There were on one side 300 Members to represent less than 3,000,000 people, and on the other only 150 to represent about 12,000,000. This must strike every one, and would, before long, most certainly consign the Bill to the fate which it so well deserved. If the Representation was to be changed at all, it ought to have been done upon some plain general principle, by which all these anomalies might have been avoided. As to Gateshead, it was an unimportant suburb of Newcastle, and there was no reason why it should have a separate Representation.

Sir *H. Williamson* said, that the gallant Member (Sir Henry Hardinge) opposite, could know nothing about Gateshead, or he would not have called it a suburb of Newcastle, and a trifling, insignificant place. It was not a suburb of Newcastle, but entirely distinct from it, a separate parish, and situated in a different county. Then, as to its being distinguished for nothing, he begged to state, that very considerable manufactures were carried on in it. He was sure, the gallant Member must have spoken of Gateshead from hearsay, and not from any personal knowledge, because what the gallant Mem-

ber had said of it was not consistent with the fact.

Sir *Henry Hardinge* knew Gateshead very well, though he had certainly never had, like the hon. Baronet, the advantage of dining in Gateshead, and making a very remarkable speech there; but good taste would prevent him from entering further into the subject of what was said on that occasion. If he were to go into that speech, he might, perhaps, be able to show, that the probability was, that the inhabitants of Gateshead were not the most respectable in the world. He, however, had canvassed Gateshead two or three times; and he contended, that Gateshead was an insignificant suburb as compared with Merthyr-Tydvil and many other places he could mention.

Sir *H. Williamson* said, that the gallant Member had proved, upon his own showing, that he knew nothing about Gateshead. The gallant Officer had canvassed Gateshead as a candidate for the city, not for the county, of Durham. The gallant Member, therefore, knew nothing of the freeholders resident in Gateshead. The gallant Member's acquaintance was confined to the freemen of the city of Durham resident in Gateshead, and they certainly were neither very numerous nor the most respectable portion of the inhabitants of Gateshead. But the gallant Member had originally stated, that Gateshead was distinguished for nothing, whereas he now underrated it, by comparing it with Merthyr-Tydvil and other places.

Mr. *Chaytor* was surprised that any one who knew Gateshead could describe it as a part or a suburb of Newcastle. It was no such thing, but as distinct and separate from Newcastle as any one place could be from another. The parish was different, and the jurisdiction wholly distinct. Perhaps, however, the place might not be agreeable to some visitors.

Mr. *Praed* said, he understood, that the jurisdiction in Hull and Sculcoates were different, and the poor-rates different, and that they were situated in different parishes. In Hull the jurisdiction was in the Mayor; in Sculcoates the appeal was to the Sessions. The case of Hull, therefore, and Sculcoates, was in every respect similar to that of Newcastle and Gateshead.

Mr. *Stuart Wortley* felt a strong interest for the county of Durham, but he must say, that no part of the Bill surprised

him more than that. If it was necessary, as the hon. Baronet (Sir *H. Williamson*) seemed to indicate, to be acquainted with every locality to form a judgment, how was it possible, that Ministers could have qualified themselves to prepare the details of a measure like this? The fact was, that in the time of Edward 6th, Gateshead was assigned to the Corporation of Newcastle, and in 1646 the population of that place would have been assigned to Newcastle, were it not for unexpected circumstances. It was said, that by letting in Gateshead, they would sluice Newcastle. How stood the case with respect to Rochester? It was annexed in this Bill to Stroud and Chatham, though the jurisdiction was different and the parishes different. The population of Gateshead was 11,700, and of Newcastle 35,000. The population of Rochester was 9,800, and of Stroud and Chatham 17,500. It was more unfair to sluice Rochester with Chatham and Stroud, than Newcastle with Gateshead. The same observation might be made with respect to Portsmouth and Portsea. In 1821 the population of Portsmouth was between 7,000 and 8,000, and of Portsea 38,000. It was ridiculous to talk about difference of interest in Newcastle and Gateshead. Both places owed all their importance to the coal trade.

Sir *Charles Wetherell* said, this case was a violation of all the principles of the Bill, and of the rules by which Ministers had professed that they were guided. It was marvellous to observe the shifts to which Ministers were driven. In some cases a small river was made to interpose, to alter the franchise; in others, for a different purpose, the river was either forded by a bridge thrown over it, or it was impossible to ford it, just as it suited their purposes. They paid no regard to the barriers of either common sense or consistency. The fact, however, was, that there was an *à priori* determination that Gateshead should have a Member, and *coute qui coute* Gateshead was to have a Member. It was in vain to reason with a majority like that sitting around and above the Ministers. When men were congregated together in large numbers, they were usually bold, but such parliamentary audacity, such Ministerial audacity, such effrontery, and such appalling boldness, had never, perhaps, been witnessed until now. If he might be allowed to borrow a metaphor

from his hon. friend, the member for Thetford (Mr. A. Baring), he should say, that Gateshead was the violet, the nosegay, of schedule D, but then it was a violet, a nosegay, of which he must say, "*non redolet, sed olet.*" He would not translate the Latin into plain home-spun English, because it would be called by the Gentlemen opposite, factious and strong language. It had been complained, that imputations had been cast upon the framers of this Bill with regard to this case of Gateshead. Now he did not desire to cast any imputations—but this he would say, namely, that the case of Gateshead was either a case of gross partiality, or of gross ignorance, and Ministers might take their choice between these two charges. But he repeated, that it was of no use to argue the case. The Members opposite had determined to support the measure, and all the parts of it, either right or wrong. It would be of no use to detect mistakes hereafter. The Bill could not be a prospectus of a Constitution; it was final by the decree of Ministers, although the Radicals thought they should be able to improve it by and by. It was said, that Gateshead was a small place, but the inns were probably good, as he remembered something of a speech delivered there, which was not delivered at the King's Head, or the Crown, or Sceptre, or the Mitre, or any one with a similar symbol. The drift of that speech was, to advise the Ministers not to attend to any speeches from their opponents, to fear no opposition, and to go on with the measure, regardless of all argument or reason. This advice had been well acted upon by his Majesty's Ministers. They had duly acted their parts, and they were supported by Gentlemen who seemed to agree, that out of respect for them, they would support any measure that emanated from them, be it just or unjust. Such sentiments had been, in more than one case, expressed, and even the hon. Baronet, the member for Westminster (Sir F. Burdett)—the *vox populi*—he who had so often declared, that he would never succumb in his opinions to any Ministers—even that hon. Baronet had acknowledged, last night, that he had objections to the Bill, but that he chose to waive them. To divide in the face of such a majority was, he agreed, a waste of the time of the House.

Mr. Chaytor wished, after the remarks of the hon. and learned Gentleman, to

state why he supported the question before the House. He apprehended the principle on which the Bill proceeded, was population and property, with a regard to existing interests, that had been applied to districts and counties. If there was any inequality in the Bill, it was this—that the Bill gave too many Members to the counties, and not sufficient to the towns. He stated this fairly and openly, as an objection which he had to the Bill; and yet, in spite of this objection, and in spite of the censure of the hon. and learned Gentleman who had just sat down, he should most certainly support the Bill. The hon. and learned Gentleman seemed to think, that there was great impropriety in Gentlemen who had objections to the Bill, waiving those objections for the sake of ensuring the success of the Bill. He would tell the hon. and learned Gentleman why he adopted this course. If the Bill had some faults, the present system of Representation had many vices; and he did not think there was anything inconsistent with morality or good sense, in exerting oneself to the utmost for the purpose of exchanging a vicious and corrupt system, for a system which was only in some measure faulty.

Mr. John Weyland did not think any argument had been used which would justify him in voting for giving a Member to Gateshead. He would do the hon. Members who supported Government, the credit to believe they acted from conscientious motives, and he trusted, that they would think the same of him when he declared, he should most cordially give his support to the proposition for excluding Gateshead from the schedule.

Lord Granville Somerset considered Gateshead to be amply represented by Newcastle. Many parts of the country were inadequately represented, while Members were wantonly squandered on insignificant places. Glamorganshire ought to have had the Member now proposed to be given to Gateshead; but those counties with which Ministers were connected had been more favourably dealt with than other counties. The Representations which had been made from the county which he represented (Monmouthshire) and from Glamorganshire, had been totally disregarded.

Sir Henry Hardinge said, the Gentlemen opposite had given no reason why this suburb of Gateshead should not be

added to Newcastle, from which it was distant about 200 yards, and contained a population of 12,000 souls, while Merthyr Tydvil, with 30,000 inhabitants, had been added to Cardiff, from which place it was twenty-five miles distant. He wished to call the attention of the Committee particularly to this fact, that around this principal seat of our iron manufactory, there were 180,000 people unrepresented. The county of Durham had been treated with great partiality; it got five new Members by the Bill. Would it not have been more desirable and just to have given a Representative to Merthyr Tydvil, and so have avoided sluicing Cardiff, than one to Gateshead? He regretted being obliged to make these remarks, connected as he was with Durham, but the injustice of the case obliged him to notice it.

Lord *Althorp* regretted, that the reasons he had already given for appropriating a Member to Gateshead, had not been considered satisfactory by the hon. Gentlemen opposite. They appeared conclusive to him, and he could throw no further light on the subject. He would continue to maintain, there was no instance of a borough, already possessing two Members, having such an addition of population as was contained in Gateshead, let in upon it. Hull and Sculcoates did not form a parallel case, for they really formed but one town. He must complain of the language which had been used by the hon. and learned Gentleman opposite (Sir C. Wetherell), which, unmeasured as it had been on former occasions, had been to-night as strong and unmeasured as possible towards his Majesty's Ministers.

Sir *Matthew W. Ridley* said, that from his own knowledge, he could say, that the town of Newcastle would not grudge the power given to their neighbour of electing a Representative. If the House would look at the situation of Gateshead, they would think Ministers were justified in giving it a Member. The county of Durham required an addition to the number of its Representatives, and no other town could be marked out, to which a Representative could with so much propriety be given. Gateshead had a respectable, wealthy, and intelligent population, consisting of manufacturers and others, and he believed it to be as fit to return an independent Representative, free from improper influence, as any town in the kingdom. He trusted he might be

permitted to add, without vanity, that the interests of Gateshead had never suffered from want of actual Representation. He had ever taken the interests of the place under his particular care, and should always take a strong interest in its welfare, whatever was the result of the present motion.

Sir *Robert Peel* did not suppose, that the people of Newcastle would object to having three Members. Newcastle would be the last place to complain of this additional honour. What did the hon. Baronet tell them? Why, that he represented Gateshead, and that he would be shorn of part of his beams, if he no longer represented Newcastle. The hon. Baronet, the member for Newcastle, was the Representative of Gateshead. He expressly admitted the fact. On the grounds of vast population, there was no pretence whatever for giving a new Member to Gateshead. Newcastle had only 35,000 inhabitants, and Gateshead only 11,000. They were close together; they were united in trade, and, therefore, they might be well included in the same system of Representation. It was too bad to aggravate the mortification of defeat by such arguments as had been advanced. A certain species of decency and decorum might have been expected in the triumph of the hon. Members opposite over reason and the Constitution. When they were about to disfranchise half the boroughs in the kingdom, it was strange and monstrous to hear the noble Lord talk of the ancient rights of Newcastle, as a reason for preserving its franchise unaltered and unimpaired. When they were about to add adjoining boroughs to others, to sluice all the small boroughs that were not disfranchised by voters from the neighbourhood, when that even was not to be done by Parliament, but by a sort of riding Commission—a Quarter-Master-General; and when they were, by Commissioners and Deputies, disfranchising voters in all the boroughs that were reserved, it was to him most extraordinary that a respect for the rights of the people, should be assigned as one of the reasons for not uniting Gateshead to Newcastle. He was not aware, that it would be necessary to divide the Committee on any other place of schedule D; but on this place he was determined to divide, and record in a more emphatic manner than by speech, his condemnation of the conduct of Ministers, in giving an addi-

tional Member to Newcastle, while Chelsea, with its 46,000 inhabitants, was excluded from all share in the Representation. If he stood alone, he would divide against including Gateshead in the schedule.

Mr. D. W. Harvey had been much struck by the singularity of the propositions of the hon. Gentlemen opposite. When schedules A and B were discussed, they contended that places with a population of from 2,000 to 4,000, were entitled to return their two Members; yet when it was proposed to give a Representative to a place containing 12,000 inhabitants, they found something extremely wrong in it. They seemed, for the first time, to have made the discovery, if he was to judge from their proposition with respect to Merthyr Tydvil, that the Bill was not sufficiently Jacobinical, and not half enough democratical. Why, they exclaimed, refuse a Member to Merthyr Tydvil, with so large a population? Was this, then, the result of the cogitations of the Cabinet at Pall-Mall? Was this the plan which they had determined to propound? After more than a summer month spent in deliberation, was this the oozings of their design? Of all democracies, none were so extravagant as ungovernable toryism. It would seem, that these advocates for rotten and nomination boroughs, feeling that their political fate was likely to be sealed by this Bill, only wanted an opportunity to usher in a counter plan. Population was taken as the basis of Representation by the defenders of Old Sarum! On what ground, then, he would ask, did they contend against the dissolution of the boroughs in schedules A and B? and why, he would ask, if they had determined to broach this, their new plan of Reform, did they waste so many evenings in pronouncing funeral orations over the bodies of the slain? Did they oppose this proposition to embarrass and delay the progress of the Bill, or were they determined to attempt to agitate the country with a new design of their own? So far as their designs could be comprehended, they had become the advocates of a complete system of departmental democracy. If this was their course, and their intention, why had they expended so much argument in opposition to the destruction of the system of nomination? He was aware, that for the purposes of oratory, it was a very inconvenient thing

that a Member should be compelled to confine himself to the mere question put from the Chair. He knew this well; but in the Debates on the Bill, every step they had taken, furnished new ground for declamation, and the topics for the speeches of the hon. Members were increased by the progress of disfranchisement. The boroughs of schedule A furnished matter for lamentation and illustration in speaking on schedule B; and so they might expect it to be to the very conclusion of the Bill. The question in this instance was, whether Gateshead, with a population, by the returns of 1821, of 12,000, and swelled by the recent returns to 16,000, comprising many persons of respectability and intelligence, should have a Representative? It appeared, too, that there were 800 10^l. houses in the place. These were sufficient attributes to entitle Gateshead to a Member, whether situated in Durham or Cornwall, and he should cheerfully give his vote that it should obtain one.

Sir Edward Sugden said, that the hon. Member had delivered himself of one of those hackneyed speeches of vulgar abuse with which the House had been so often favoured, in the course of the Debates on the Bill. It was not his intention to detain the House for many minutes; but he could not avoid observing, that the other side placed themselves in rather a ludicrous situation, when they asserted they could not believe the Opposition were sincere in any proposition consistent with the principles of the Bill, because it was unreasonable. There were two points, however, to which he wished shortly to draw their attention. The noble Lord, and the framers of the Bill, had repeatedly declared, that they, and those connected with them, never were parties to the cry of "the Bill, the whole Bill, and nothing but the Bill;" and they had also as repeatedly declared, that it was their object to make the measure before the House final and satisfactory to all parties. Now he believed, that six or seven speakers, one after the other, declared last night, that they knew the Bill was not to be final; nor they did not wish it to be final; and the hon. member for Westminster had distinctly declared, that no arrangements with respect to the institutions of a great country like this, could be final. He, therefore, must charge the Government with giving encouragement to declarations of this kind, and with adopting a course which was likely to make

the measure anything but final. It had been said, over and over again by the supporters of the Government, that they postponed their objections to many parts of the Bill, merely because they wished to accelerate its progress; and they had even gone so far as to admit, that they waived their objections for the present, and postponed their propositions for more extensive changes to another and better opportunity. The hon. member for Westminster said, he objected to many points of the Bill altogether, but he added, that in order to carry it, he must sacrifice these objections; he even declared, in order to stay all discussion, that there was no clause in the Bill so trifling, that opposition to it might not endanger the whole measure. And yet, in the face of all this, and with the knowledge, that the measure was not to be final, the members of the Government had called on their supporters to pass it without inquiry or discussion. He would ask, whether the Members of that House had not been called on to suspend their judgments, and abandon all inquiry, in order that the Bill might be passed more speedily through that House? He would not, however, pursue that subject further at present. They were now trying the Government on their own principles, with respect to Gateshead and Merthyr Tydvil; and when the House heard that Newcastle, which was to return two Members, formed, it might be said, but one town with Gateshead, or, at least, was connected with it by a bridge, while Merthyr Tydvil was full twenty-five miles from Cardiff, to which it was to be joined for the purposes of Representation, he thought they would confess, that the present was a case well calculated to try the question of the fairness of that division of Representation which the Government professed their desire to preserve.

Lord Althorp said, the reason why the Government drew a distinction between the case of Gateshead and Merthyr Tydvil was this, that Merthyr Tydvil was situated in Wales, where the system of contributory boroughs had always prevailed, and which was so continued with respect to other places in the schedule. With respect to the observations of the hon. and learned Gentleman, on the subject of the Bill being final, although they had not much to do with the borough of Gateshead, he would merely observe, that the Ministers were

anxious to make the Bill final, and they had offered no other opposition to the discussion of its merits, than by requesting its supporters not to endanger its success by a number of different propositions intended to effect the same object. If they had recommended harmony on these points, the reason for it might, perhaps, be found in the fact of their being opposed by a set of Gentlemen who were guided in their resistance to the Bill by party arrangements, without reference to its merits; and wishing, as the Ministers did, to carry the measure they had framed, they had undoubtedly expressed a wish to avoid any discussion which might endanger its success. They had, however, attended to every suggestion, and endeavoured to comply with every arrangement, which could make the Bill satisfactory to all around them. He had said thus much, because the hon. and learned Gentleman asserted, that the Government were abandoning their declarations, and that they did not wish to make the present Bill final.

Lord Patrick James Stuart said, his constituents of the borough of Cardiff had good reason to complain, when they found themselves likely to be joined to the inhabitants of Merthyr Tydvil, a place twenty-five miles distant from them; and that, too, for no better reason, that he had heard, than that they were situated in the principality of Wales. He must contend, that Wales ought not to be considered and treated as a separate country from England. Their interests were completely identified, and the same principles should be applied to both. It was, therefore, absurd to say, Merthyr Tydvil should be united to Cardiff because the system of contributory boroughs had always prevailed in the principality of Wales. Though such a custom had been in existence, that was no reason why it should be continued by this Bill. He must, however, deny that this custom was general in Wales, for in several towns it had never prevailed. In justice to his constituents he must declare, that the town of Cardiff had upwards of 6,000 inhabitants, and 360 10*l*. householders. Cowbridge, which was to be joined with it, had upwards of sixty 10*l*. householders—Llandaff nineteen or twenty—making in all, 450 10*l*. voters, without those of Merthyr Tydvil; and when it was recollected, that in places like Calne and Morpeth, there was barely the number of inhabitants required, viz., 4000,

and that they were to retain two Members, he thought the people of Cardiff had good reason to consider themselves aggrieved. He had come down to the House with a prejudice against Gateshead, created by circumstances with which the Members of the House were not familiar, but he had heard much to alter his opinion. He hoped, however, that the Government would take the case of Cardiff into its consideration, and allow his constituents the exercise of their privileges, unfettered by a junction with Merthyr Tydvil.

Lord *John Russell* said, that although there was an apparent hardship in the case of Merthyr Tydvil, still it should be recollected by the noble Lord, that the Bill gave two additional Members to the Representation of Glamorganshire; and when it was also recollected, that Glamorganshire had only 100,000 inhabitants, and that it would then possess four Representatives, he thought its inhabitants could not complain much of their want of a due proportion of Members. With respect to Gateshead, he could only say, that its wealth, population, and commerce, formed a full justification for placing it among the places in schedule D. It had been asked, if it could be expected that the present measure would be a final one? That would, of course, depend upon circumstances. No human measure could certainly be final. If it were found to work well, then it would be desirable that it should be final, whatever anomalies it contained; but, on the contrary, if it were found not to work well, its present supporters would not wish that it should be considered a final measure. The Government were sincerely convinced, that it would contribute to the benefit of the community, and that it would give to the possessors of property and wealth, that influence, which it was desirable they should have, in the deliberations of Parliament, while, at the same time, it would in no way endanger any of the valuable institutions of the country.

Mr. *Stephenson* distinctly denied the imputation thrown by the noble Lord, the member for Monmouth (Lord G. Somerset) on a noble Lord connected with the county of Durham. He had some local knowledge of Gateshead, and he begged leave, in the most entire and unqualified manner, to contradict the insinuation. The noble Lord alluded to (Lord Durham) had no property in Gates-

head, nor any influence whatever in the place.

Lord *Granville Somerset* denied, that he had said the noble Lord alluded to had any property or influence in Gateshead. What he had said, and what he repeated, was, that the counties with which members of the Cabinet were connected, had a larger share of the spoliation arising from this Bill than the other counties.

Sir *George Murray* thought, that this Bill could not be final, as it contained within it the seeds of its own dissolution. It was only necessary to state the principles on which it professed to proceed, in order completely to destroy the assertion that it was a final measure. As Wales had been alluded to, he felt himself bound to state, that great injustice was done to Scotland, when it was proposed to give a Member to Gateshead, and to leave several large and important towns and cities in that kingdom unrepresented. It was quite obvious, that Gateshead was intimately connected with Newcastle, and had been hitherto represented by the Member for that town. In fact, without any disrespect to Gateshead, it appeared to be the refuse of Newcastle, rather than an independent borough deserving of a Member, notwithstanding the high colouring given to the picture by the hon. member for Colchester, whom he had reason to believe had never seen the place. He knew Gateshead to be a very insignificant place. He had made up his mind to oppose the motion, but if he could have acted otherwise, it would have been on the same principle as the noble member for Cardigan, who said, he should vote for it on condition that the case of Merthyr Tydvil should be reconsidered. He should have acted with the same motives, and recommended several considerable towns in Scotland to have a share in the Representation, from which they were at present excluded—but he found the whole case too partial, and he should join his hon. friends in opposing the motion.

Mr. *John Stanley* must remark, that several large towns in Scotland being unrepresented had nothing to do with the question before them. With reference to another remark he must say, that he did not see the cases of Merthyr Tydvil and Cardiff were very different from the cases of Manchester and Salford. He would ask Gentlemen opposite, what the country would think, when they attributed motives to the

public conduct of men whose private honour and character were equal, at least, to their own? The country would, at least say, those who cast imputations on the present Ministers, had themselves held office, and judged of others by what they had practised themselves.

Sir *John Malcolm*, in reply to the hon. member for Colchester (Mr. D. W. Harvey) must vindicate the consistency of those who objected to the disfranchisement of small boroughs, and at the same time objected to giving a Member to Gateshead. There could not be a more complete misrepresentation than that made by the hon. Member, by mixing up and confusing clauses of the Bill, which were totally distinct in their objects and merits. Schedules A and B were works of demolition—schedules C and D of construction. He, in common with other hon. Gentlemen, had struggled hard to save the former, and had argued each case of destruction, by opposing the principle of the Bill. Since that principle had been adopted by the House, it had been often referred to, and was, in substance, that a population of above 2,000 should entitle one of the old boroughs to retain one Member, and a population of 4,000 should entitle a borough to two Members; but these clauses had been disposed of, and the Committee was come to the other professed principle, to give Members to those towns which from property, population, or other considerations, were considered best entitled to such a privilege; and because this question, which assuredly demanded a full and dispassionate discussion of the merits of various places, had been illustrated by comparisons with others, the Opposition were taunted with inconsistency. For his part, he believed Merthyr Tydvil had a better claim than Gateshead, and his vote would be regulated by that opinion.

Mr. *Robert A. Dundas* wished to set his hon. friend right, who had said, Ministers had not come forward to give Members on the principle of population only. He understood they had stated, when they introduced the Bill, that population was the ground on which they gave Representatives. He, on that account, could not consent to give a Member to Gateshead, when it was not proposed to give one to the populous and flourishing town of Perth.

Mr. *Cresset Pelham* said, he had heard

the noble Lord, the Chancellor of the Exchequer, allow, there was a kind of compact between himself and those around him, that there should be no visible difference of opinion between them, but he did not think this was a very good, or moral way, of managing a great measure. He had heard there were two ways of crying down a subject, one to wholly praise it, and the other to say nothing about it.

Mr. *Baring* said, he had never before heard a Ministry, however powerful, propound to Parliament an important proposition, and then not listen to any arguments adduced against it. They might as well adopt the course which their organs of the Press recommended to them, and pass the measure at once, without further consideration. This officious agent, which sometimes bullied, sometimes advised, the Government, had frequently done him the honour of entirely altering the effect of the observations he had made, and stated him to have been interrupted by "yawns," "groans," &c. In many instances, what he had stated to the House appeared in the Press in so disjointed a form, as to be a pack of nonsense, coupled with a little falsification of the facts he might be speaking of. On one morning he was called a fool, on another a fungus. All that he wished was, that the Press would leave him alone. The noble Paymaster of the Forces had said, that he was not sure if the Bill would be a final measure, for that would depend upon the manner in which it would be found to work. There was one way in which it was very evident the Bill would work; it would work to the utter destruction of one party in this country. The Tory party might be said to be completely gone. Never, in any country, or in any of the phases of any Revolution, had there been so striking an instance of a plan absolutely devised by one party for the utter destruction of another party, to which they were opposed. The hon. member for Colchester had declared, that the Opposition had been maintaining, that a population of 2,000 or 4,000, were to have a certain portion of Representatives, but instead of maintaining such a proposition, that was the very point they had opposed, and the hon. Member's observations must apply to his own friends. All they said was, be consistent with the principles you have laid down, and do not apply one argument to one place, and a different one to another,

similarly circumstanced. The authors of the Bill, while they asserted, that population was the basis of their measure, passed by places which had a much larger population than Gateshead, which had also at its very door a place already represented—Newcastle. In his opinion, therefore, Gateshead was sufficiently represented; and no grounds had been submitted to the Committee for agreeing to the proposition before them. In the whole schedule D, Gateshead was the only place, the application of a Member to which was extremely objectionable. Its appearance in the schedule was a very suspicious circumstance. If no alteration were made in the elective franchise, as it now stood in the Bill; if it were to be “the Bill, the whole Bill, and nothing but the Bill,” they would send a firebrand through all the beehives of industry, that would be productive of the most injurious consequences; and it was generally allowed by those who had the means of judging upon such subjects, that a greater plague could not be conceived.

Mr. *Hunt* congratulated the House and the country on the new view which the noble Paymaster of the Forces had that night taken of the Bill. Up to that night it had been supposed, that the Bill was to be a final measure. Now, the noble Lord had very justly said, that if it did not work well, it ought not to be final. He congratulated the noble Lord on this fair and open avowal; and he was sure, the reflecting part of the community would be of the same opinion. He would vote with Ministers that night, because Gateshead was an insignificant place; and he was fully convinced, that, in the succeeding Parliament, Chelsea would have a Representative allotted to it. What the hon. member for Thetford had said, with respect to the statements in the newspapers of the proceedings in that House, was quite correct. It was astonishing to see, day after day, how the speeches of Members were misrepresented. It was utterly impossible for any man, whose only channel of information, as to what passed in that House, was the newspapers, to form any thing like a correct idea of the conduct of his Representative, for the speeches and the sentiments of the Members were wholly perverted. Was that calculated to add to the character of the public Press? It was in vain to conceal the fact, that what was called the

Leading Journal grossly misrepresented what occurred there. For himself, he was accustomed to that kind of thing. But speeches, to which he had listened with the greatest attention, were, with a disgusting want of principle, wholly neglected, while others, which almost set him to sleep, appeared in the most eloquent phraseology. For himself, he should continue fearlessly to do his duty; and, if the Press thought to intimidate him, it was mistaken.

The Committee divided:—Ayes 264; Noes 160—Majority 104.

List of the AYES.

Acheson, Viscount	Carter, J. B.
Adam, Admiral C.	Cavendish, C. C.
Adeane, H. J.	Cavendish, H. F. C.
Agnew, Sir A.	Cavendish, W.
Althorp, Viscount	Chapman, M. L.
Anson, Sir G.	Chaytor, W. R. C.
Astley, Sir J. D.	Chichester, Col. A.
Baillie, J. E.	Chichester, J. B. P.
Bainbridge, E. T.	Clifford, Sir A.
Barham, J.	Clive, E. B.
Baring, F. T.	Colborne, N. W. R.
Barnett, C. J.	Coote, Sir C. H.
Bayntun, Capt. S. A.	Copeland, Alderman
Belfast, Lord	Cradock, Col. S.
Benett, J.	Crampton, P.
Bentinck, Lord G.	Creevey, T.
Berkeley, Captain	Currie, J.
Biddulph, R. M.	Curteis, H. B.
Blake, Sir F.	Davies, Col. T. H. H.
Blamire, W.	Dawson, A.
Blankney, W.	Denison, J. E.
Bodkin, J. J.	Denison, W. J.
Bouverie, Hon. D. P.	Denman, Sir T.
Bouverie, P.	Dixon, J.
Boyle, Hon. J.	Doyle, Sir J. M.
Brabazon, Viscount	Duncombe, T. S.
Brayen, T.	Dundas, C.
Briscoe, J. I.	Dundas, Hon. T.
Brougham, J.	Dundas, Hon. Sir R. L.
Brougham, W.	Easthope, J.
Brown, J.	Ebrington, Viscount
Browne, D.	Ellice, E.
Brownlow, C.	Ellis, W.
Buck, L. W.	Etwall, R.
Bulkeley, Sir R. W.	Evans, Col. De Lacy
Buller, J. W.	Evans, W. B.
Bulwer, E. E. L.	Evans, W.
Bulwer, H. L.	Ewart, W.
Burdett, Sir F.	Ferguson, R.
Burke, Sir J.	Fergusson, Sir R. C.
Burrell, Sir C.	Ferguson, R. C.
Burton, H.	Fitzgibbon, Hon. R.
Buxton, T. F.	Fitzroy, Lord J.
Byng, G. S.	Fitzroy, Lt.-Col. C. A.
Calcraft, G. H.	Foley, Hon. T. H.
Callaghan, D.	Folkes, Sir W.
Calley, T.	Fox, Lieut.-Col.
Calvert, N.	French, A.
Campbell, W. F.	Gisborne, T.

Gordon, R.	Mackenzie, J. A. S.	Russell, J.	Troubridge, Sir E. T.
Graham, Sir J.	Macnamara, W.	Ruthven, E. S.	Tynte, C. K. K.
Grant, Right Hon. C.	Mangles, J.	Sandford, E. A.	Tyrell, C.
Grant, Right Hon. R.	Marjoribanks, S.	Scott, Sir E. D.	Uxbridge, Earl of
Grattan, J.	Marryatt, J.	Sebright, Sir J.	Venables, Ald.
Greene, T. G.	Marshall, W.	Sheil, R. L.	Vere, J. J. H.
Guise, Sir B. W.	Martin, J.	Sinclair, G.	Vernon, Hon. G. J.
Gurney, R. H.	Maule, Hon. W.	Skipwith, Sir G.	Vernon, G. H.
Halse, J.	Mayhew, W.	Slaney, R. A.	Vincent, Sir F.
Harty, Sir R.	Milbank, M.	Smith, J. A.	Waithman, Ald.
Handley, W. F.	Mildmay, P. St. J.	Smith, J.	Walker, C. A.
Harvey, D. W.	Milton, Lord	Smith, R. V.	Walrold, B.
Heathcote, G. J.	Mills, J.	Smith, M. T.	Warburton, H.
Heneage, G. F.	Moreton, Hon. H. G. F.	Spencer, Hon. Capt.	Warre, J. A.
Heywood, B.	Morpeth, Viscount	Stanhope, Capt. R. H.	Wason, W. R.
Hill, Lord G. A.	Mostyn, E. M. L.	Stanley, J.	Waterpark, Lord
Hobhouse, J. C.	Newark, Viscount	Stanley, Rt. Hon. E.	Watson, Hon. R.
Hodges, T. L.	Noel, Sir G. N.	Stanley, Lord	Webb, Colonel E.
Hodgson, J.	North, F.	Stephenson, H.	Western, C. C.
Horne, Sir W.	Norton, C. F.	Stewart, P. M.	Westenra, Hon. H. R.
Hort, Sir W.	Nugent, Lord	Stewart, Sir M. S.	Weyland, Major R.
Hoskins, K.	O'Connell, D.	Strickland, G.	Whitmore, W. W.
Howard, J.	O'Connell, M.	Strutt, E.	Wilbraham, G.
Howard, Hon. W.	O'Connor, Don	Stuart, Lord P. J.	Wilks, J.
Howard, P. H.	O'Ferrall, R. M.	Talbot, C. R. M.	Williams, W. A.
Howard, H.	O'Grady, Hon. S.	Tavistock, Marquis of	Williams, Sir J. H.
Howick, Viscount	Offley, F. C.	Tennyson, C.	Williamson, Sir H.
Hudson, T.	Ord, W.	Thicknesse, R.	Wood, Ald.
Hughes, W. H.	Osborne, Lord F. G.	Thompson, Alderman	Wood, J.
Hughes, Colonel	Ossory, Earl of	Thomson, Rt. Hn. C. P.	Wood, C.
Hughes, W. L.	Owen, Sir J.	Throckmorton, R.	Wrightson, W. B.
Hunt, H.	Paget, Sir C.	Tomes, J.	Wrottesley, Sir J.
Hutchinson, J.	Paget, T.	Torrens, Colonel R.	Wyse, T.
Inglby, Sir W.	Palmerston, Viscount	Townshend, Lord C.	TELLER.
James, W.	Palmer, C. F.	Trail, G.	Duncannon, Viscount
Jeffrey, Rt. Hon. F.	Parnell, Sir H.		
Jerningham, H. V.	Payne, Sir P.		
Johnston, Sir J. V.	Pendarves, E. W. W.		
Johnston, A.	Penlease, J. S.		
Johnston, J.	Pentrhyn, E.		
Johnston, J. J. H.	Perrin, L.		
Kemp, T. R.	Petit, Louis H.		
Kennedy, T. F.	Petre, Hon. E.		
Killeen, Lord	Phillips, Sir R. B.		
King, E. B.	Phillips, C. M.		
Knight, H. G.	Philips, G. R.		
Knight, R.	Polhill, F.		
Lamb, Hon. G.	Ponsonby, Hon. W.		
Langston, J. H.	Ponsonby, Hon. G.		
Langton, W. G.	Portman, E. B.		
Lawley, F.	Powell, W. E.		
Leader, N. P.	Power, R.		
Lee, J. L.	Poyntz, W. S.		
Lefevre, C. S.	Price, Sir R.		
Lemon, Sir C.	Protheroe, E.		
Lennard, T. B.	Ramsden, J. C.		
Lennox, Lord W.	Rice, Hon. T. S.		
Lennox, Lord J. G.	Rickford, W.		
Lennox, Lord A.	Rider, T.		
Lester, B. L.	Ridley, Sir M. W.		
Littleton, E. J.	Roberts, A. W.		
Lloyd, Sir E. P.	Robinson, Sir G.		
Loch, J.	Robinson, G. R.		
Loch, James	Rooper, J. B.		
Lumley, J. S.	Ross, H.		
Maberly, Col. W. L.	Rumbold, C. E.		
Macdonald, Sir J.	Russell, Lord J.		
		Anson, Hon. G.	Lopez, Sir R. F.
		Atherley, A.	Lushington, Dr. S.
		Belgrave, Earl of	Maberly, J.
		Blount, E.	Macauley, T. B.
		Blunt, Sir C.	Mullins, F.
		Byng, G.	Musgrave, Sir R.
		Calvert, C.	Newport, Rt. Hn. Sir J.
		Cavendish, Lord G.	O'Neil, Hon. Gen. J.
		Coke, T. W.	Oxmantown, Lord
		Dundas, Hon. J. C.	Palmer, General C.
		Fazakerley, J. N.	Ramsbottom, J.
		Ferguson, Sir R.	Russell, Lord W.
		Foley, J. H.	Smith, Hon. R.
		Godson, R.	Smith, G. R.
		Grosvenor, Hon. R.	Stewart, E.
		Heathcote, Sir G.	Stuart, Lord D. C.
		Hill, Lord A.	Tufton, Hon. H.
		Hume, J.	Whitbread, W. H.
		Jephson, C. D. O.	White, S.
		King, Hon. R.	White, Colonel H.
		Lambert, J. S.	

Paired off in favour.

The discussion postponed till the next day, on the point, whether "Kendal, with the township of Kirkland," "Walsall, including the borough and foreign of Walsall," and "Whitehaven, including the towns of Whitehaven," &c., should stand part of schedule D.

It was severally carried, that the following places stand part of schedule D :—

Halifax, including township of Halifax, Yorkshire.

Huddersfield, including parish of Huddersfield, Yorkshire.

Kidderminster, including town of Kidderminster, Worcestershire.

Macclesfield, including town of Macclesfield, Cheshire.

Oldham, including parish of Oldham, Lancashire.

Rochdale, including township of Spotland, Lancashire.

Salford, including townships of Salford, Pendleton, and Broughton, Lancashire.

South Shields, including the town of South Shields, township of Westoe, Durham.

Stockport, including town of Stockport, Cheshire.

Stoke-upon-Trent, including townships of Langton and Lane-end, Fenton Culvert, Fenton Vivian, Penkull and Booth, Shelton, Hanley, Burslem, with the Vill of Rushton-grange and the hamlet of Sneyd, Tunstall-court, Chell, and Oldcott, Staffordshire.

Tynemouth, including parish of Tynemouth, Northumberland.

Wakefield, including township of Wakefield, Yorkshire.

Warrington, including town of Warrington, Lancashire.

Whitby, including townships of Whitby and Ruswarp, Yorkshire.

The Chairman then reported progress. On the question, that the Committee do sit to-morrow,

Mr. *Goulburn* expressed the extreme dissatisfaction with which he saw the Ministers determined to break through all the arrangements previously entered into, on their part, with those hon. Members who were opposed to the Bill. There was, he contended, no necessity for such remarkable haste in the measure now before the House; and, at the same time, he must complain of the total want of courtesy, on the part of Ministers, towards hon. Members who might have private business to transact, but which the mode of conducting the proceedings of the House, recently adopted, totally prevented their attending to. He felt it impossible to pay any attention to matters unconnected with his parliamentary duties, after having given his attention to those duties

for more than twelve hours each day, in succession, for the last six or eight weeks.

Lord *Althorp* was sorry to find that any uncourteous motives were attributed to Ministers on the present occasion, and was the more astonished at such a complaint on the part of the right hon. Member, who, generally speaking, to his own knowledge, had been so hard-working a man in the performance of his duties in that House. It was not from motives of discourtesy that he pressed forward the Reform Bill, but simply to give hon. Members an opportunity of returning at an earlier period to their homes in the country than they would if the measure was not pressed forward.

Colonel *Sibthorp* said, the noble Lord expressed himself anxious to hasten the measure; he was anxious to seize every opportunity to delay its progress. He was sure, that such was the re-action of public feeling in the country, with respect to this detestible measure of Reform, that its advocates would be as completely thrown over, as they expected to throw over those who were opposed to it.

Sir *John Wrottesley* said, that as for complaining of fatigue in attending to their parliamentary duties, he must remind hon. Members, that he, as well as many in that House, had sat from twelve to fourteen hours on Committees; and, in comparison with the other duties which had been borne by hon. Members, that of attending on the discussion of the Reform Bill was light and easy. In his opinion, the great cause of delay, and the consequent cause of fatigue, in the discussion of the present measure, were the speeches of the right hon. Gentleman opposite, and those of his colleagues in Opposition. He and his friends had now no other business to perform in the House than to support and forward the Bill with all their might; and the more they devoted their time to it, the sooner they were likely to be released from their attendance there.

Lord *Stormont* said, he inferred from what the noble Lord had remarked, that to advance the measure of Reform, all other public business must be wholly delayed. That must be done at some time, and hon. Members would be compelled to remain in town to attend to it, after the Bill was passed. It was establishing a dangerous precedent to sit every day in the week: he was worn out by constant attendance.

Lord *Milton* reminded the right hon.

Gentleman who spoke recently (Mr. Goulburn), that they had both entered the House at the same epoch—a remarkable one—in the year 1807, when, by a curious coincidence, the new Parliament assembled on the very day it did in the present year. At that very time, the rule which the right hon. Member had just laid down had been broken through, for, during the whole Session, the House had met on Saturdays.

Sir *R. Peel* said, that his attention, and that also of other hon. Members, could not be maintained constantly to the question before them, or during the whole of the period that the House sat during the week; he, therefore, objected to the motion for sitting to-morrow. He was convinced, that, if the noble Lord (the Chancellor of the Exchequer) had chosen to do so, he might have gone through the whole of schedule B on the preceding Friday, without having had recourse to the Saturday, as an excuse for proceeding in it. He should, however, on this occasion, content himself with entering his protest against the proposal to sit to-morrow.

Lord *Althorp* did not think, that Members would be the less able to attend to business, because they had the same subject under their consideration for several days. He did not find, in his own case, that he was less able to attend to one subject because it had occupied his attention for some time.

Sir *Charles Wetherell* said, the advantage they were likely to gain by this extra day's sitting would be, perhaps, two or three Saturdays. But was the passing of the Bill two or three days sooner of such importance as to put Members to this great inconvenience? Let it be considered, that after the Bill should have passed, commissioners would have to ride round to regulate the divisions of counties. If this proposition were carried, it would be said there was a power superseding that of the Government.

Sir *Ch. Forbes* was so much opposed to the proposition, that if any hon. Member would support him, he would engage to give a repetition of that scene of divisions which took place some time ago, and which, he had no doubt, were attended with very salutary effects.

Lord *Ebrington* remembered the occasion to which the hon. Baronet alluded, and he thought such scenes contributed little to the dignity of the House in the estimation of the country. If the hon. Baronet,

however, should carry his threat into execution, he had no doubt the attempt would be met as it was on the former occasion, and would be followed by the same result. It was as inconvenient to him as to any other to be absent from his county on this occasion, but he thought the object required it, and he hoped Ministers would persevere in meeting every day of the week.

Mr. *John Martin* supported the proposition. He was surprised at the opposition of the right hon. Baronet, who had himself suggested, on a former day, that they should meet on Saturday. Was it not inconsistent that he should now oppose it?

Sir *Robert Peel* said, he would act according to his own taste, and not that of the hon. Member. His suggestion last week was, that they might meet on the Saturday of this week, in order to make up for the day that would be lost in visiting the City on the Monday; and he mentioned this next Saturday, because he thought the notice for the last Saturday's meeting was too short; but he had no notion that the sitting on Saturday was to be permanent. There was, therefore, no inconsistency in his former suggestion to sit one day, and his opposition to the proposition of a permanent sitting.

Sir *Hen. Hardinge* did not think the noble Lord would gain much by sitting to-morrow, as probably two or three hours of the day would be occupied by the motion of his hon. friend, the member for Oakhampton (Sir *R. Vyvyan*), on the state of Belgium. This motion, he could assure the House, was not the result of any connivance, but the fact was, the matter was urgent, and his hon. friend had not had an opportunity of bringing it forward earlier in the week.

Mr. *Littleton* said, what had just fallen from the hon. and gallant Member was of itself a reason why they should sit to-morrow; for, if two or three hours, or perhaps more, were to be consumed on the first open day (as they would be if the House did not meet to-morrow), that was a reason why they should endeavour to save a day.

Sir *Henry Hardinge* said, that without any communication with his hon. friend on the subject, he supposed, that he would be willing to bring it forward on an early day; if, however, the House should meet to-morrow, he would probably bring on his motion

Mr. *Goulburn* had no desire to throw any impediment in the way unnecessarily; and he begged to ask, what would hon. Members opposite have thought, if a proposition to meet on Saturdays had been made during the late Ministry? He had often, when Chancellor of the Exchequer, consented to postpone measures, at his great personal inconvenience, to accommodate the wishes of Gentlemen; and he, therefore, thought, it was not too much to ask for the same indulgence.

Mr. *Benett* said, that the country was much dissatisfied at the delay which had already taken place, and he thought some attention ought to be paid to public feeling. He had received a petition from Wiltshire, which he was anxious to present, praying the House would take the most efficient steps to expedite the measure. He would say, that if they gained only two days by the sittings on Saturday, they ought to persevere.

Sir *Richard Vyvyan* said, he had asked a question that evening of the noble Lord, to which, not getting a satisfactory answer, he stated his intention of availing himself of the sitting of to-morrow to move for papers, and, therefore, he was glad that the House was to meet. The noble Lord, and those around him, talked of meeting to-morrow as a question of principle, but the House heard nothing of that kind when a day was devoted to dining in the City.

An *Hon. Member* said, the reason given for the meeting last Saturday was, that the Ministers were engaged to attend the pageant of opening the bridge on Monday. No notice was, at that time, given that the practice was to be continued.

Mr. *O'Connell* said, if English Members felt the inconvenience of being absent from their homes, at this season, how much more must it be felt by the Members from Ireland, who were so distant that they could not get an answer to their letters to their friends in less than six or seven days? So convinced was he of the necessity of despatch with this Bill, that he would not only consent to sit the six days of the week, but, if it were not a crime, he would sit on the Sunday also.

An *Hon. Member* said, a deputation of Irish Members was desirous to wait on the noble Lord, but they had received for answer, he could not attend to them, as his mind was so much occupied with the Reform question. As they were anxious to receive an answer to their application, he

recommended the noble Lord to adjourn over to-morrow, and appropriate that day to the consideration of the matter they wished to represent to him.

The question, that the House resolve itself into a Committee on the Bill to-morrow, agreed to.

HOUSE OF COMMONS,

Saturday, August 6, 1831.

MINUTES.] The House met at Twelve o'clock, according to the arrangement agreed to the preceding evening. Petitions presented. By Colonel LINDSAY, from the Farmers of the Western district of Fife, Kirkcaldy, Bruntisland, Alloa, and the county of Linlithgow, against the use of Molasses in Breweries and Distilleries.

BELGIC NEGOTIATIONS.] Lord *Althorp* said, before the House proceeded to business, he wished most earnestly to request, that the hon. Baronet opposite (Sir R. Vyvyan), would not then bring forward his motion for the production of certain papers relative to the negotiations concerning Belgium, of which he had given notice. Under existing circumstances, it would be hardly consistent with the duty of his Majesty's Ministers to enter at present into the discussion of such a subject; and in consequence of the news which had been only that morning received from Paris, it would prove in the highest degree embarrassing and inconvenient. He had not had time to confer with more than one or two of his colleagues on the subject of the hon. Baronet's motion, and, therefore, could not avail himself of the counsels of the Cabinet generally, on matters which the hon. Baronet must perceive would require mature deliberation. He gave the hon. Baronet full credit for the rectitude of his motives, and was quite sure, that it was his sincere intention not to embarrass the public business of the country, by unnecessary or premature discussion; but he still saw reason to apprehend, that his observations on moving for those papers, might be eventually productive of detriment to the interests of the State. In saying thus much, he was merely expressing his own individual opinion; for, as he had already mentioned, he had not had an opportunity of communicating with his colleagues on the subject.

Sir *Richard Vyvyan* confessed, he found himself placed in an awkward position by the appeal of the noble Lord, for he certainly should be the last man in the

House, wilfully to expose the Government to embarrassment, either by his observations, or by a demand for information. It had been his intention, when he first resolved on bringing forward this subject, to make a less limited motion than that which it was his purpose on this occasion to offer to the consideration of the House. He should certainly, under the present circumstances, not touch upon any subject which had not been already made known to the public, and he trusted, accordingly, that he should not produce any of that detriment to the interests of the nation, which the noble Lord seemed to apprehend. The country, however, might soon be involved in war; the news of that morning from Paris only made the case still stronger; and, fearing that Ministers were about to place England in a position which might be prejudicial to her best interests, he felt it his bounden duty to lose no time in submitting his motion to the House. He was sorry, therefore, that he could not comply with the request of the noble Lord.

REFORM.—PETITIONS.] Colonel *Lindsay* presented a Petition from the royal burgh of Anstruther, against the clause in the Scotch Reform Bill, for disfranchising the eastern division of boroughs in Fife, which, he contended, would be a violation of the principles on which the Act of Union had been founded. He could not conceive how such a measure could be justly entertained. In these boroughs there was a population of upwards of 6,000, and among them, more than 300 10*l*. householders; and they had a considerable trade. The number of 10*l*. houses did not appear in the parliamentary returns, from the difficulty of defining what a 10*l*. house really was. The only reason assigned for this proposed disfranchisement was, to give the franchise to more important places, which did not, in his opinion, justify such spoliation. Scotland was not justly treated in having so small a proportion of Members. She had a right to equal privileges with England, for the articles of the Union were to be violated by uniting counties, and the disfranchisement of boroughs. According to the principles laid down in the English Reform Bill, these boroughs had a right to retain their Members; and Perth, a city containing 21,000 inhabitants, which had been refused a Member, had a much

better claim to that privilege than Gateshead (a mere suburb of Newcastle), with its 10,000 or 11,000 inhabitants. Surely the Scotch Members would not tamely submit to this unjust act. The population and wealth of Scotland had greatly increased in proportion to that of England, since the Union, and this constituted a fair claim for an additional number of Representatives. He trusted Government would see the justice of these arguments, and comply with the prayer of the petitioners. These boroughs also laid under an additional disadvantage, owing to the temporary disfranchisement of Kilrenny, from a trifling informality in the election of its magistrates; while Dundee, which, from a more flagrant violation of the law, had been in the same state, had received back its privileges just previous to the last election. These two boroughs had experienced very different treatment, and he called upon the learned Lord opposite to explain the circumstances, and state, whether there was not some parliamentary influence, connected with the present Ministry, which had caused this difference.

Mr. *Andrew Johnston* felt obliged to the hon. Gentleman for having so ably advocated the cause of his constituents, but he had suggested, that this petition should not have been presented until the Scotch Reform Bill was before the House. He had several petitions from these burghs, but had delayed presenting them on this account. He would take the opportunity, when the Scottish Reform Bill was before the Committee, to bring the subject under its notice.

The *Lord Advocate* said, it would be inconvenient to anticipate the discussion on the Scotch Reform Bill, by going at present into the case of these boroughs. The hon. Gentleman had stated, that the district from whence this petition had emanated, contained upwards of 300 10*l*. houses, whilst the returns gave only about forty; probably the case was as much over-rated on one side, as it was under-rated on the other. The borough of Kilrenny had been disfranchised before he had entered office; but since then, he had bestowed his best attention on the subject, in conjunction with the Law Officers of the Crown, and the question had assumed great difficulties, because it was doubted whether Kilrenny had ever a right to act as a royal burgh. The hon. and gallant Member said, that a more

speedy decision had been come to in the case of Dundee, and had hinted, that this speed was to promote the parliamentary interest of Government; but the hon. Member had overlooked the fact, that he (the Lord Advocate) had been returned without the assistance of Dundee, and before the privileges of that place had been restored.

Sir *William Rae* said, that from the manner in which the English boroughs had been disposed of, he was of opinion that it was necessary to make a favourable impression of the claims of these burghs before the Scottish Reform Bill was before the House, for it would be in vain to look for relief then. He had always considered the proposed disfranchisement of these boroughs most unjustifiable. They were contiguous, and might be considered as one town, and had, in 1821, a population of upwards of 6,000. They were in no respect nomination boroughs, as was proved in his own case, for, although he was aided by the great landed proprietors, and by all the influence of Government, he had failed in a contest with the present member for the county of Haddington. If the Ministry desired to disfranchise small and nomination boroughs, they could apply their rule to Inverary, Bervie, Kintore, and Dornoch. The noble family to whom the nomination of the last place belonged, could spare it, as a nomination county was left in their hands. If, however, there could be any justification for taking the Member from these Fife boroughs, it might be found in giving to Dundee a Representative in its own right; but even then, these burghs ought to be allowed to exercise the elective franchise in conjunction with other towns, which would prevent the landed interest of that county from being overwhelmed. It certainly looked strange, that these boroughs should have returned a Member at the last election, pledged to support the Bill which took away their privileges; but this arose from the disfranchisement of one borough, and had it retained its privilege, the return would have been otherwise. The restoration of those privileges had been withheld, while favour had been shewn to another borough which supported opposite political principles. No other explanation had been given of this than the statement, that a doubt existed whether Kilrenny was a royal burgh, but it had been so described in the articles of Union, and

had exercised its privileges as such ever since. There could not, therefore, be such a difficulty as was stated. The former Crown Counsel would at once have decided in its favour, had they not felt some delicacy in giving a preference in point of time, to a town which was known to entertain favourable sentiments to the last Government. For that reason, they had resolved to make their report on the case of the two boroughs at the same time, and it was owing to the information required in regard to Dundee, which involved a question of great difficulty, as to how far his Majesty ought to acknowledge an alteration in the Sets of this burgh, of a description which Courts of Law and a Committee of this House had declared to be illegal, that prevented the Report being made before they went out of office. Their successors entertained different sentiments, and hastened to restore the franchise to the burgh favourable to their interests, while they left the other in the condition in which they found it.

Mr. *Keith Douglas* said, that as many of the English Members had declared, they were only prevented from leaving town by the necessity of passing the English Reform Bill, it was clear so soon as that was accomplished, they would depart, not considering the Scotch Bill as deserving of their assistance. On this account he was of opinion, that it was necessary to promote this discussion at present. Probably the hon. Member who represented this district of burghs had received some private information from the noble Lord, the Chancellor of the Exchequer; but that was not enough, the case should be clearly known to all the Members. These places were contiguous, they had a population of upwards of 6,000, and 100 houses of the requisite value; yet it had been determined to disfranchise them totally, when, at all events, they ought to be allowed the enjoyment of their franchise in conjunction with some other places.

Petition laid on the Table. On the Motion that it be printed,

Mr. *Andrew Johnston* could not suffer himself to be schooled by the hon. Gentleman as to the course he should hold in dealing with his constituents. This discussion was a proof of the impropriety of raising the question at the present time. He begged, however, to corroborate the statement, that these were not nomi-

nation boroughs, but the hon. and learned Gentleman who had made that remark had not been correct on one point. The hon. and learned Gentleman said, he had been supported by the whole landed interest of the vicinity; but he and his connexions had opposed the hon. and learned Gentleman. With respect to Kilrenny, he understood the case was so difficult as to require an Act of Parliament for the restoration of its privileges.

Mr. Pringle said, that an explanation of the cause why this district of boroughs alone should have been selected for disfranchisement, had been often demanded but in vain. Neither had it been explained why the two burghs of Dundee and Kilrenny had been so differently treated. The hon. Gentleman who represented the district, had stated, that he had received a petition from them remonstrating against this injustice, but had delayed presenting it until they came to discuss the Scottish Reform Bill. Of course the hon. Gentleman would use his own discretion, as he acted, undoubtedly, under the best advice, but it was right he and the House should be made aware, that considerable impatience and anxiety were manifested in these burghs to bring their hard case fully before Parliament. This was proved by their having sent separate petitions, and intrusted them to his hon. friend who represented the county of Fife, such as the petition now before them. It was fit and proper, that the intentions of Government should be known, during the discussion on the English Reform Bill, to the most distant parts of the empire, the utility of which was strongly illustrated by what had occurred in giving a Member to Gateshead, a mere suburb of Newcastle. When they granted this valuable privilege, it ought to have been known that they were to be called upon to disfranchise a set of Scotch burghs which did not come within the Ministerial rule of disfranchisement in any one particular as that was laid down in the English Reform Bill. It had been stated, that there were doubts whether Kilrenny was a royal burgh, but admitting the defects in its original Charter, they had been remedied by long usage and an Act of Parliament. The borough was as much entitled to its share in the return of two Members as the county of York had to return four. At all events, there had been ample time to investigate and decide the

case before the late dissolution of Parliament. He remained of opinion, that the learned Lord had not given sufficient reasons for the difference of treatment shewn to the two burghs.

Petition to be printed.

HOLLAND AND BELGIUM—MARCH OF THE FRENCH ARMY.] The Marquis of Chandos rose to ask the noble Lord opposite a very important question; that question was, whether it was known to his Majesty's Government that the French Army under General Gerard had been ordered to march into Belgium; and, if so, whether that proceeding had received the sanction of his Majesty's Government?

Viscount Palmerston said, in answer to the question of the noble Lord, he had to inform him, that the Government had received a despatch from Lord Granville, informing it, that the French government had communicated to the Ministers of all the Powers, parties to the Conference of London, that the king of the French had received information, that the king of Holland had broken the armistice, and had entered Belgium with his troops; he had therefore ordered the French force on the frontiers to enter Belgium, to assist the Belgians, and maintain the neutrality and independence of Belgium.

Colonel Davies hoped, that it would not be necessary for the French army to occupy the fortresses of Belgium. If it were necessary that they should be garrisoned, he hoped it would be by the troops of Belgium only.

The Marquis of Chandos said, he understood that an application had been made by King Leopold to the French government; and he wished, therefore, to ask, whether King Leopold had made any application to this country for assistance?

Viscount Palmerston replied, that the moment the king of Belgium was informed, that the king of the Netherlands [several voices, "*the king of Holland;*" but the noble Lord repeated], that the king of the Netherlands intended to violate the armistice, he communicated that fact to the different Courts, parties to the Negotiations, and the communication had been made to this Government as well as to that of France.

Lord Stormont asked, whether the French troops had marched into Belgium with the sanction of his Majesty's Government; and if so, whether that sanc-

tion were given before or after their march?

Viscount *Palmerston* could only repeat the statement which he had already made. When the intelligence was received at Paris, that the armistice would be violated, the French government had given orders to defend Belgium, and had communicated those orders to the governments of the Allied Powers. This information from his Majesty's Representative at Paris had reached the Government this morning.

Lord *Stormont* thought his question had not been answered, and wished to ask, whether it was by a previous agreement that such a proceeding was sanctioned?

Viscount *Palmerston* replied, there could be no previous agreement for an event which was not foreseen. The five Powers, parties to the Conference at London, had entered into an engagement to maintain the neutrality and independence of Belgium, and in pursuance of this engagement the French government had acted.

Sir *Robert Peel* said, that his noble friend had used an expression, which, if it had been used inadvertently, he was sure his noble friend would be glad of an opportunity to correct. His noble friend had said, that the king of the Netherlands had "violated" the armistice—a word which would imply, that he had departed from the engagement which he had contracted. Now, as he understood the matter, the king of the Netherlands had a right to terminate the armistice, on giving notice of his intention to do so; and that such termination could in no way be deemed a violation of the armistice. In another part of his noble friend's speech he had observed, that this armistice had been "broken" by the king of the Netherlands. If these were merely inaccurate expressions, his noble friend would now have an opportunity of correcting them.

Viscount *Palmerston* said, that he was much obliged to his right hon. friend for giving him an opportunity of correcting any inadvertence into which his right hon. friend might suppose him to have fallen. He thought, however, that his right hon. friend misapprehended the present state of the transaction. A local armistice had been concluded between the Dutch Commander of the citadel of Antwerp, and the Belgian Commander of the town of Antwerp, which armistice was subject to be put an end to by three days' notice. But subse-

quently to that, was the general armistice, which had taken place under the sanction of the five great Powers; and it was that armistice to which he (Viscount *Palmerston*) had alluded in his former observations to the House. That armistice had been broken by the king of the Netherlands, without any notice whatever. Up to the moment at which he was speaking, no communication had been made to his Majesty's Government on the subject by the Plenipotentiary of the king of the Netherlands.

Sir *Robert Peel* said, he had risen for the sole purpose of giving his noble friend, if necessary, an opportunity of correcting his statement. He now found that he (Sir *Robert Peel*) was in error. He had conceived, that by the rejection, on the part of Belgium, of the terms which had been offered by the other Powers, the obligation on the king of Holland to preserve the armistice had been removed.

Viscount *Palmerston* said, that such was not the understanding of the five Great Powers.

Lord *Eliot* begged to call the attention of the noble Lord and of the House, to the answer of the king of Holland, dated on the 12th of last July, to the letter from the Conference at London. After referring to the declaration of the five Courts in the 12th and 19th Protocols, that the sovereignty of Belgium must accept, without reserve, the arrangements laid down in Protocols 11 and 12, the paper in question proceeded:—"In consequence of this declaration, which by the King's acceptance of the basis of the separation of the 12th Protocol, has become an engagement with him; his Majesty, in case a Prince should be called to the sovereignty of Belgium, and take possession of it, without first accepting the said arrangements, could not but consider such Prince, as by this fact alone, placed in a state of hostility with him, and his enemy." Might that not be considered as a notification that the armistice should no longer be binding, after a certain event which had now taken place. There was one point also, on which he wished for information from the noble Lord. The noble Lord had said, that the five great Powers, had guaranteed the integrity and neutrality of the Belgic state. What he wished to know was, whether that guarantee was an absolute one, or whether it was contingent on the acceptance by Belgium of the propositions made

to it by the 12th Protocol—propositions which the Belgians had hitherto rejected, though the king of Holland had accepted them.

Viscount *Palmerston* said, the passage which the noble Lord had read, from the answer of the king of the Netherlands to the communication from the Conference at London, was correctly quoted. It was well known, that there had been two Conferences, at which two series of articles had been agreed to; that the first of those series of articles had been accepted by one of the parties to whom they referred, and rejected by the other; and that the second of those series of articles had been accepted by the party who had rejected the first series, and had been rejected by the party who had accepted the first series. Such being the state of things, the five great Powers had invited the parties to send Plenipotentiaries to London. That invitation, the king of the Netherlands accepted; he sent a Plenipotentiary to London, but at the same time, he gave orders to his troops to enter Belgium—a fact which the Plenipotentiary who came to London, had no instructions to communicate to the English Government.

Lord *Eliot* again asked, if the guarantees of the five Powers was absolute, or if it was contingent on the acceptance by Belgium of the articles in the 12th Protocol?

Viscount *Palmerston* said, that the articles which Belgium accepted, contained several of the propositions which had been accepted by Holland in the first instance.

Sir *Richard Vyvyan* said, that it appeared to him, that the king of Holland had been most unfairly used. After what had now passed, he appealed to the House, whether he was not fully justified in persevering to bring the subject under the consideration of Parliament?

Viscount *Palmerston* observed, that no man was more ready than he was to communicate, at a proper time, the most ample information on the subject to the House; and that no man was more ready than he was, at a proper time, to enter into a full defence of the part which his Majesty's Government had taken in the transactions in question; but he submitted it to the consideration of the hon. Baronet, whether, after the information, open to all, which had reached this country within the last day or two—whether, while events of the greatest importance were

pending—whether while a decision, which must of necessity be taken out of that House upon the subject, was yet pending, it was fair to call upon his Majesty's Government to enter upon an explanation and defence of their conduct, with reference to a long course of transactions; which explanation and defence it might be impossible sufficiently to develop, without a statement of circumstances at the present moment calculated to occasion considerable embarrassment to negotiations not yet terminated.

Sir *Richard Vyvyan* could assure the noble Lord, that he had no intention to do any thing that was calculated to embarrass his Majesty's Government; but it must have been known to them, that the acceptance of the Crown of Belgium by Prince Leopold, without the king of Holland's having been previously satisfied, would be a ground of war. He would not press his Motion on that day; but he really trusted, that on an early day an ample discussion of the whole subject would be entered into. If, contrary to all usage, the House was called upon to meet at twelve o'clock on a Saturday, for the purpose of expediting a bill which was passing through Parliament with greater celerity than that which any constitution had ever before been changed by any legislative assembly, surely one night might be spared in the next week, for a debate of so much importance as that to which he adverted. His impression was, that the conduct which had been pursued by his Majesty's Government, was highly detrimental to this country. His object was, to put the country into such a position, as might enable it, at a future period, to act with greater effect. He begged to ask the noble Lord, whether it was the intention of his Majesty's Government, to send the fleet, now in the Channel, to the coast of Holland? The whole question appeared to him to be now brought to an issue. France had already resorted to war. If he found, that it was not the wish of the House that he should persevere in his Motion, he would not do so; but in that case he washed his hands of all the consequences which might ensue. He did not wish it to be supposed, that the people of England were in favour of sending a fleet to Holland, where, probably, the mistake of Navarino might again occur. No Government had ever been treated with so much moderation and forbearance in Par-

liament, as the Administration which had succeeded that most illustrious ornament of his country, Mr. Canning. No Ministers had ever been more fairly treated by their political opponents, than the Duke of Wellington and Lord Grey. But a crisis had now arrived. Negotiation was over, war was about to commence, and an inquiry by that House into the circumstances which had led to this state of things could not, therefore, be considered premature.

Viscount *Palmerston* said, that no man could be more disposed than he was, to acknowledge the forbearance which had been shown towards the Governments to which the hon. Baronet had alluded. In the opinion expressed by the hon. Baronet, he, of course, must join, with reference at least, to the course which the House had pursued towards the late Government. He was persuaded, however, that neither the House nor the hon. Baronet, upon consideration, would think that he ought to answer the question put to him by the hon. Baronet, as to what were the intentions of Government, with respect to the employment of the naval force of this country. His Majesty's Ministers would be, of course, responsible for whatever measures they might take; but the time to put them on their defence was, after those measures were taken, and not before. He should therefore, decline to answer the question of the hon. Baronet; and he felt convinced that the House would be of opinion, that he was pursuing a proper course in declining. The hon. Baronet had taken it for granted that all negotiations were at an end, and that they were now on the eve of a war; but he begged the House not to adopt the same opinion. It had been the object of the most constant labour of his Majesty's Government, since last November, when they first entered office, to preserve peace. From that period to the present moment, they had been engaged in the most difficult and complicated negotiations, which had the preservation of peace for their object—the preservation of peace, in the first place, between Belgium and Holland, on honourable and satisfactory grounds to both parties, with a view to secure thereby the benefits of peace to Europe in general. They were still labouring indefatigably for the accomplishment of that object; and he could assure the hon. Baronet and the House, that nothing which had hitherto happened, led him to think that that object might not be obtained.

Sir *Richard Vyvyan* said, that he had thought himself bound to bring forward his Motion to-day, but since he had heard the statement just made by the noble Lord, he had resolved to postpone his motion till another opportunity.

Mr. *Cresset Pelham* objected to the postponement of the hon. Baronet's Motion. It was ridiculous to do that under the idea that there was no war, when the French had actually passed the Belgian frontier. When such an important matter was allowed to pass by so quietly, he almost doubted whether he was in a British House of Commons. This was a case which demanded investigation much more than the invasion of Spain by France in the time of Louis 18th, and he remembered that that subject was discussed in the House, notwithstanding that negotiations were pending at the time.

The conversation dropped.

REFORM (SCOTLAND) BILL.] Mr. *S. Wortley* presented two Petitions from Perth, one from the Lord Provost, Magistrates, and Town Council, the other from several thousands of the Merchants, Bankers, and other traders of the city, praying, that one Member might be given to that town under the Scotch Reform Bill. Perth was equal in importance to Dundee, and was as much entitled to a Representative as any place in the United Kingdom to which such a privilege had been extended. It was a flourishing and thriving town, and had a population of 21,000 souls. The petitioners suggested, that some determinate scale of population should be established for the Representation of the towns of Scotland, on which principle he was prepared to act, and should endeavour to enforce it at the proper time.

Sir *George Murray* said, that the people of Scotland would have to complain of the grossest injustice, if they were left in the position now contemplated by the three Bills. This was the time when all who were interested in that country should make their appeal to Englishmen. So long as the arrangement regarding Representation continued, as it was settled at the Union, he would be the last man to put in any claims for Scotland to obtain additional Representatives; but now, when that arrangement was about to be set aside, it was the duty of every Scotchman to support the interests of his country,

and to see, that they were not neglected in the new arrangements. That country had a claim to a much larger share in the Representation than was contemplated by the present Bill. He was afraid, however, that the English Reform Bill would absorb all the interests on the question, and when that had passed, little attention would be paid to the merits or claims of Scotland and Ireland. He did hope, however, on a principle of fairness, that the large and important county which he represented, and others were in the same situation, would receive additional Members; and that such a place as Perth would not be left with the fractional part of one Representative.

Mr. *Andrew Johnston* must add his testimony in favour of the respectability of Perth, and its claim to a larger share in the Representation than was contemplated.

Petition to be printed.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—EIGHTEENTH DAY.] On the motion of Lord John Russell, the House resolved itself into a Committee upon the Reform of Parliament (England), Mr. Bernal in the Chair.

The Chairman having put the question, "that Kendal, including the town of Kendal, stand part of schedule D,"

Mr. *Croker* said, that from all the returns he had seen up to last night, there was not, in the district of Kendal, a sufficient number of inhabitants to supply an adequate constituency for a place about to be enfranchised. He had thought Representation ought not to be given to any place containing less than 10,000 inhabitants. The addition of the township of Kirkland had, however, removed his objection to this question. It was the leaving out of Kirkland which he thought a grievance, and against which he had intended to address the Committee. These cases, as well as that of Saltash, fully proved the propriety of the remarks on the details of the Bill which hon. Members had submitted to the Committee.

Question carried.

The Chairman put as the question, "that the town of Walsall, including the borough and foreign of Walsall, stand part of schedule D."

Mr. *Croker* said, he rose pursuant to a notice he had given, to move an amend-

ment upon the question now put. The noble Lord (Lord John Russell) smiled, as if he was appearing in a new character, that of a Reformer. The fact was not so; but he had now to deal with the details of a Bill, the principle of which had been adopted, and while the Bill was in Committee he had left his character of anti-Reformer in abeyance, and was bound to relieve the Bill as far as possible from its evil qualities and inconsistencies. In the neighbourhood of Walsall was situated the important town of Wednesbury, which had the advantage of being one embodied town, if he might use the expression, in contradistinction to places that were formed rather of scattered villages than of continuous streets. Walsall had a smaller population than any place in the schedule D, excepting Gateshead; and, therefore, the constituency could not be rendered too large by the addition of another moderately-sized place. Nor was Wednesbury far distant from Walsall; at least, it was situated nearer to that town than several of the places united with Wolverhampton were with that town. He had no personal interest whatever in the question, but, looking at the disposal of the franchise in the county in which Walsall was situated, he found that Wednesbury was the only place of importance in that county, that had not a direct share in returning a Representative. He, therefore, moved as an amendment, that the words "and town of Wednesbury" be added. He would not insist upon a division, but he thought it his duty to submit the Motion to the Committee.

Lord *John Russell* said, the town and foreign of Walsall, included in this vote, were under one municipal Constitution, and contained a population of 15,000 souls, and furnished a constituency of 750 voters. Walsall formed a distinct town of itself; it was not connected with Wednesbury; and being sufficiently large to be intrusted with the privilege of returning a Member, he saw no reason for the amendment of the right hon. Gentleman. He knew also, that the freeholders of Wednesbury would be sorry to relinquish their county votes for the purpose of returning a Member with Walsall.

Mr. *Stuart Wortley* thought it would have been much more just, with a view to an equal protection of the iron trade, to have given one of these numerous Mem-

bers, intended for the Potteries, to Merthyr Tydvil, instead of leaving the whole of that important district with but one Representative.

Sir *Robert Peel* said, his hon. friend, the member for Staffordshire (Mr. Littleton), had, on a former occasion, remarked, that the freeholders of Wednesbury would rather enjoy their county franchise than be united with Walsall, and have the privilege of directly returning a Member. Surely, that was no proof of the overwhelming desire of the people for the extravagant and dangerous changes to be made in this Bill. The freeholders of Wednesbury, a large town, preferred the system under which they had so long been represented, to the Bill of the noble Lord. Walsall had only a population of 12,000.

Lord *John Russell* said, the population of Walsall was now 15,000.

Sir *Robert Peel* continued. The population was now 15,000! What, then, were they now to have recourse to the population of 1831? When the disfranchising clauses were under consideration, and rights and privileges, which had endured and been protected and upheld for four centuries, were to be assailed and destroyed, then the population returns of 1821 only were to be consulted. The gross injustice and inconsistency of such conduct must be evident to the whole country, and sooner or later it must produce its natural effect. He must remark, too, that it was wonderful to observe how strong an affection the noble Lord had conceived for "municipal constitutions" since schedules A and B had been disposed of. While those schedules were under discussion, corporate rights were ridiculed; but now Walsall was to return a Member by itself, because it was under one municipal Constitution. Such inconsistency appeared both ridiculous and contemptible, and he should support the amendment. The argument of his hon. friend (Mr. Littleton) surprised him very much. His hon. friend had stated, that the people of Wednesbury were so well pleased with the right given to them by the Bill, to vote for the county Representatives, that they did not care to have a Representative of their own. He was aware, that it was useless to press the amendment, especially on a Saturday, unless the noble Lord chose to lend a favourable ear to the Representations which had been made.

Mr. *Littleton* wished to correct his

right hon. friend. He had not said, that the freeholders of Wednesbury were adverse to being united with Walsall, but that he had not received any application from them requesting that Wednesbury might be united with Walsall; and the inference he drew, therefore, was, that the people were satisfied with the qualification they would possess as freeholders, to vote for the county. He had no personal interest in the question, and would support the original motion.

Lord *Althorp* preferred giving the franchise to a corporate town singly, in case the corporate town had a sufficient constituency. Walsall had that, and, therefore, he thought the Bill should stand as it did.

Sir *Robert Peel* said, the noble Lord must surely speak in entire forgetfulness of what clauses there were in the Bill. The clause under which Commissioners were to be appointed would interfere with every local jurisdiction in the country.

Colonel *Wood* said, that so far as the inhabitants of Merthyr Tydvil were concerned, he could declare, they were indifferent whether their claims were to be decided by the census of 1821 or 1831. The question with them was, not whether they should be incorporated with some other place, but whether they ought not to return Members themselves.

Amendment negatived, and the original question carried.

On the question, "that Whitehaven, including the town of Whitehaven, the town and parish of Workington, and the parish of Harrington, in the county of Cumberland, stand part of schedule B,"

Lord *John Russell* moved, as an amendment, that after the words "town of Whitehaven," the words "and Preston Quarter, and parish of Meresly" be inserted.

Mr. *Croker* said, this question formed one of the most extraordinary anomalies of the whole Bill. He must contend, that the town of Whitehaven ought not to be united to the town and parish of Workington, and that the population of the former being 17,000, was sufficient to entitle it to a Member without any such union. Workington was eight miles distant, and the interest of its inhabitants was in direct opposition to that of the people of Whitehaven. He thought both places were better entitled, from their size and importance, to send Representatives to Parlia-

ment than either Walsall, Gateshead, Tynemouth, or South Shields. It was a total want of consistency to propose to unite Whitehaven, which had a population of 12,000 inhabitants, and had, in its immediate vicinity, a further population of 5,000, to another town, of nearly equal size, at a distance of eight miles; while Walsall and Wednesbury, two towns in the immediate vicinity of each other, and whose interests were also united, were not to be joined for the purposes of Representation. This was a most glaring anomaly, and would open a new field for discussion, which would involve Ministers in many difficulties; and he should, therefore, be glad to hear from the noble Lords opposite, the cause of this extraordinary union?

Sir *James Graham* said, that party divisions, in which he had, unfortunately, had his share, would prevent the Committee, probably, from considering him as an impartial judge, although he had considerable local knowledge of the districts which this Bill proposed to unite. He would, however, endeavour to satisfy the right hon. Gentleman, that the union which he so much deprecated was not so inconsistent with other parts of the Bill as he supposed. The objections were, the distance of the towns from each other, and that they had separate interests. Now, the fact was, that Preston Quarter, Meresby, Harrington, and Workington, were all situated on the sea-coast, and, although at some distance from each other, were all included in the sea-port of Whitehaven, and had a common interest in the Irish coal trade. This was one reason for their uniting them. Another was, the necessity of increasing the constituency of Whitehaven, because the whole town belonged to one noble individual, who, if the elective franchise was confined to it, would exclusively influence its Representation, and Whitehaven would be a nomination borough. The case of Huddersfield, agreed to last night, was precisely similar to the case of Whitehaven.

Colonel *Lowther* said, as the town and neighbourhood of Whitehaven were allowed to contain 17,000 inhabitants, he left it to the Committee to judge whether the noble individual alluded to, could have such a great preponderance in the influence of the elections as to return the member for Whitehaven. He wished to take that opportunity to express his sur-

prise, that the parish of Bissington, which lay between Whitehaven and Workington, was not included with the other places which were to form component parts of this new borough. As for Harrington, which the hon. Gentleman had described as a sea-port, it was as much so as the Regent's Park. The sea did not come within a mile and half of it. He, therefore, begged to inquire, why Bissington had been excluded?

Mr. *Croker* said, notwithstanding the candour and fairness of the right hon. Baronet's statement, which he fully admitted, he could not yet see one shadow of reason or justice in the course Ministers were now pursuing. This was, probably, one of the last occasions on which he should trouble the Committee, and therefore he could not help declaring, that no ground whatever existed for the proposed union between Whitehaven and Workington, and he should, therefore, conclude, by moving as an Amendment, that all the words in the question, after the words "Town of Whitehaven," be omitted.

Mr. *Blamire* had some local knowledge of the places included in the question, and he saw nothing anomalous or inconsistent in the proposition. The places proposed to be united were connected in one continuous line, running along the sea-coast, and their interests were precisely similar. The parish of Bissington was not on the sea-coast, which was the reason, he presumed, why it was not included in the district.

Lord *Althorp* was ready to admit, that the question of admitting Bissington was one of difficulty; but, after the fullest consideration, they had decided not to include it. The hon. Gentleman had correctly stated, that Whitehaven and Bissington joined, but they both wholly belonged to one individual, and this was chiefly the cause why it was resolved to exclude the latter. They had endeavoured to prevent the exercise of too great power in influencing the elections, by adding Workington to Whitehaven, as in the case of Huddersfield, where the whole township belonged to one individual. In that case, they had thought it expedient to add the remainder of the parish, to prevent the overbearing influence that the ownership of the land on which the town stood would necessarily give. According to the population returns, the whole of the district of Huddersfield contained 31,000 persons,

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and of these, 10,000 were in the parish. It was thought, that including the whole was sufficient to insure a free exercise of the franchise. The principle on which Ministers proceeded was, in disfranchising, not to allow the mere influence of property to prevail, because, in many instances, that was the only claim that could be set up; but, in enfranchising, not to interfere with the legitimate influence of property. In the present instance, they joined Workington with Whitehaven, because, in the latter case, the whole influence of property was in the hands of one individual.

Sir *George Murray* said, the noble Lord and the First Lord of the Admiralty appeared to be proceeding on a new principle. Ministers originally declared, that they wished to destroy nomination, but not to interfere with the just influence of property. The noble Lord now said, that he would strictly adhere to the rule of disregarding the influence of property, in cases of disfranchisement, but that, in cases of enfranchisement, he would admit that influence to a certain extent. Here, it appeared that Workington was to be joined with Whitehaven, because the influence of property, placed in the hands of one individual, was considered to be too great in the latter place. Now, his chief objection to the principle thus laid down was, the endless succession of changes which it was calculated to produce. The Bill, he feared, would furnish a number of precedents, which other, and more eager, Reformers would gladly lay hold of, in furtherance of more extensive measures; and the country would thus be exposed to a succession of dangerous changes. The noble Lord might think that he had drawn a line sufficiently strong between nomination and the legitimate influence of property; but he would, most probably, find, that that line would be easily passed by those who wished for additional change, and who would readily argue, that this influence of property was, in fact, nomination.

Lord *Althorp* said, the object here was, to create a new borough that should not be the property of one individual.

Sir *George Murray* said, what had been said by the noble Lord did not remove his objection. Was not, in fact, the introduction of Workington an interference with the legitimate influence of property? In the case of Downton also, there had been an interference of the same nature, which had been properly designated as the introduc-

tion of a new principle into the Bill. That case, he admitted, was different from the present; but this, as he before remarked, would serve as a precedent and justification for meddling with all sorts of property connected with the Representation of boroughs hereafter.

Lord *Althorp* must deny, that any new principle had been introduced, either in the present instance, or in that of Downton. The Ministers had made this proposition, not in departure from any rule, but as an exception. They proposed to create a new borough; and their object was, to prevent the same influence of property, which had induced them to recommend the disfranchisement of so many other places, from converting this into a nomination borough. They proposed extensive constituencies to prevent such an influence, and had applied this to the newly-created boroughs, as well as those previously in existence.

Sir *George Murray* inferred from what the noble Lord had said, that the influence of property was to be guarded against beyond a certain extent, and that this was the case with Whitehaven and Huddersfield, in which the influence of two landowners was to be corrected in the manner proposed. But this principle was not carried to other places, where it was as much required. The boroughs of Malton and Tavistock (he did not mention those places invidiously, but because the names had been so frequently introduced, they were the first that presented themselves) had not been so interfered with. The influence of property was left to its full exercise in these places. He objected to this partial interference, because it would ultimately lead to the total destruction of all such influence by future Reformers, who would not be limited by the line drawn by the noble Lord.

Mr. *John H. Lowther* contended, that Ministers were now acting not only upon a new, but upon a dangerous principle. There was a decided difference between the present case and that of Huddersfield.

Mr. *Wason* asked whether, if the amendment were carried, the right hon. Gentleman (Mr. Croker) would consent to give a separate member to Workington, Bissington, and Harrington?

Mr. *Croker* could not consent to purchase the vote of the hon. Gentleman by agreeing to any such proposition. He opposed the Bill upon principle.

Mr. *Ramsden* requested to be permitted to say a few words, as allusion had been made to the influence he was likely to possess, from his family being the proprietors of the soil on which Huddersfield stood. This property had not been purchased for electioneering purposes, but had belonged to him and his ancestors for three centuries, and his influence would not be very great. He thought bestowing the franchise on large manufacturing towns a wise measure, and he should regret if the influence of property in any of these places were so great as to prevent the expression of the wishes of the constituency. As one of the Representatives of the county of York, he could assert, that the measure met with support and approbation from his constituents, and he had no doubt the country generally would be benefitted by it. He approved of this Bill; it did away with direct influence, while it gave its fair weight to indirect influence, which ought to be cherished, because it kept up and perpetuated the good feeling which it was so desirable to preserve between landlord and tenant. He was happy to say, such an understanding did prevail in the part of the country with which he was connected. If the inhabitants of Huddersfield should do him the honour of electing any person connected with him, he should feel happy, but this would never result from any power he possessed to control their choice.

Mr. *Croker* desired to cherish indirect influence on this very ground. There was no comparison between the cases of Huddersfield and Whitehaven. If there was any principle in the Bill, it ought to be acted on in all cases. He could not help repeating, that the present proposition was extremely unjust.

Mr. *Ramsden* thought the right hon. Gentleman was very much mistaken, if he believed the influence of property would continue to be great in Huddersfield.

Mr. *Hunt* would avail himself of the opportunity of the hon. member for Yorkshire being in his place, to make a few remarks on what that hon. Member was pleased to say, relating to a petition which he (Mr. Hunt) had presented from Huddersfield. The hon. Gentleman had declared, that the petition and meeting at which it was got up, was unknown at that place: now the meeting had been advertised in several local newspapers, and the walls were placarded with bills to an-

nounce it. He knew the person (he was present at the meeting, and offered no opposition to the petition) who had written to the hon. Member, and induced him to make the statement alluded to.

Mr. *Ramsden* thought it was a matter of very little consequence whether he made any reply to the hon. member for Preston or not. He had certainly received a letter from a person, accidentally present at the meeting, and who was not connected with Huddersfield, but he knew, from his own sources of knowledge, that the petition presented by the hon. Member did not speak the sentiments of the inhabitants. He had examined the names attached to the petition, and the greater number were evidently in the same handwriting.

Mr. *Hunt* had previously understood from the hon. Gentleman, that the letter he had received was from a person well acquainted with Huddersfield.

The Committee divided on the Amendment:—Ayes 60; Noes 104—Majority 44.

[Strangers remained excluded for upwards of half an hour, during which time a very warm discussion is said to have taken place. The House was thin when the gallery was cleared, and the division was unexpected. As soon, however, as it was announced, that the Committee was about to divide, there was instantly a rush of Members from the Library, and from other places attached to the House. Upon the appearance of this reinforcement, objections were made to the new comers being allowed to vote. It was argued on one side, that the rule of the House was, that no Member should be allowed to vote who had not been present when the question was put, or at least who had not been within certain precincts of the House when the question was put. The Speaker stated, that such was certainly the rule, and defined the precincts to be all places situated within those doors which are locked when a division took place. On the other side it was complained, that this was very sharp practice, inasmuch as neither the mover nor the supporters of the amendment had intimated that it was their intention to divide the Committee. The strict enforcement of the rule was insisted on, and the votes of all Members who had not been in the House, or within the defined precincts, when the question was put were rejected.]

On the original question being put,

Mr. *Littleton* expressed a hope that the Gentlemen on his (the Ministerial) side of the House would not be provoked, by what had just passed, to retaliate upon their opponents, and enforce the strict rule of the House against them. Nothing could be more inconvenient than the adoption of such a course.

Sir *George Murray* certainly did not recollect anything which had ever given him more surprise than the observations of the hon. member for Staffordshire. Never had there been observations more uncalled for—never had there been imputations more unfounded—than those which the hon. Member had endeavoured to fix upon that side of the House. They were perfectly sensible on that side of the House that they were in a minority, and they were perfectly sensible also, that there was no number of their friends, within the districts pointed out by the Speaker, which could convert them into a majority. The hon. Member had expressed a hope that the Gentlemen opposite would not follow the example which had been set by the Opposition side of the House. If there was anything improper in what that side of the House had done, he heartily joined in that hope. But he contended, that there had been no impropriety in the conduct of that side of the House. He considered it to be exceedingly proper, that the rules of the House should be strictly adhered to; and the rule in this case had been most clearly and most distinctly laid down by the Speaker.

Mr. *Littleton* begged to state, that he had cast no imputations upon the hon. Gentlemen opposite. His observation was made for no other purpose than to prevent exasperation on his side the House, and to deter Gentlemen from adopting a similar course to that which had been pursued by the opponents of the Bill. He admitted that course to be perfectly parliamentary; but he was sure that it was very inconvenient, and he should be very sorry to see it vexatiously followed by his side of the House.

Mr. *C. W. Wynn* said, that if they would have rules, it was highly necessary that they should be enforced. Every Gentleman must be aware of the existence of this rule, and ought, therefore, to be prepared for its being enforced. It was of no use to carry this conversation further, because it would always be in the power of

any individual Member to enforce this rule if he thought proper. It should be recollected, however, that the case which had just occurred, was not one of frequent occurrence.

Mr. *Littleton* said, it had occurred ten times during the last fortnight.

Sir *James Graham* admitted that this was not a case of frequent occurrence: but why was it not a case of frequent occurrence? It was because Gentlemen, who meant to divide, usually had the courtesy to tell the Chairman that such was their intention. When the Chairman received such an intimation, he never put the question until the gallery was cleared, and Members had time to reach their seats before the division took place. He agreed, therefore, with the right hon. Gentleman, that this was not a case of frequent occurrence, but the reason of that was, that the want of courtesy which had been practised in the present instance was also not a case of frequent occurrence. He further agreed with the right hon. Gentleman, that the rules of the House ought to be strictly enforced; but the whole defect and complaint in the present case arose from the right hon. Gentleman (Mr. Croker) having concealed his intention of dividing. He did not mean to say, that this had been done by the right hon. Gentleman (Mr. Croker) intentionally. He had no doubt that it had proceeded from inadvertence, which he thought very excusable in the right hon. Gentleman, although most of the Gentlemen opposite considered inadvertence to be an offence highly culpable, when Ministers were guilty of it.

Mr. *Croker* must altogether disclaim the imputation which was conveyed in the charge that he had concealed his intention. He denied, that the First Lord of the Admiralty had stated correctly the usual practice of the House. The practice, as he understood it, was, for the Chairman to ask the Member if he meant to divide. But he did not hear the question put until the last moment, and he hardly knew whether he was to say ay or no. He did not mean to make any complaint of neglect against the Chairman, who had conducted himself in the [most exemplary manner throughout this Committee, and whose conduct had been such, on every occasion, as to give perfect satisfaction, even to the losing party, which was the highest praise he could give the Chairman,

The Chairman begged to be allowed to say a few words. He had never accused the right hon. Gentleman either of neglect or want of courtesy. All he had said was, that it was a courtesy observed by hon. Members, to give notice to the Chairman of their intention to divide. But the fact was, that this clause was a very complicated one. The Committee had gone into a discussion altogether foreign to the clause; and he had no doubt that it had arisen from mere inadvertence, that the right hon. Gentleman had not told him that he meant to divide. He would only add, that from the character of the discussion, he had not the slightest idea that a division was intended.

Lord Milton said, that generally speaking, when the word "retaliation" was used, it implied that something improper and unfair had been done. It must be seen, however, after the explanation of his hon. friend, that nothing of the kind was intended to be implied in this instance.

Sir Henry Hardinge assured the noble Lord, that the word "retaliation" had been felt at that side of the House in the way he had expressed his own impressions of it. Indeed, from the use of it, it would appear they had done wrong, in objecting to the votes of hon. Members who had not heard one word of the discussion, and he had intended to have expressed his sentiments rather warmly on the subject; but as the hon. Member had given so candid an explanation, he would say no more than that he rather believed that there was no intention to divide the Committee, until the First Lord of the Admiralty laid down a very novel proposition. This was the cause of the division, and he was sure that his right hon. friend (Mr. Croker) had no intention of taking the House by surprise.

Mr. Hunt had never heard of this rule before, and he believed many other hon. Members were similarly circumstanced, until they were apprised of the fact by the very clear decision of the Speaker, with which he had been much gratified.

Mr. O'Connell said, that the right hon. Gentleman (Mr. C. W. Wynn) below him, had spoken as though every Member was acquainted with this rule. Now, he did not believe that the right hon. Gentleman himself was aware of the rule, and he would tell the House why. On the division respecting the Dublin Election Committee, many Members who were

brought out of the Speaker's room, were compelled to vote without having the question put to them. But, according to what had just occurred, it was clear that these Members ought to have had the question put to them; but they had not, although a majority was obtained by means of them.

Mr. Davies Gilbert begged to state, as a Member of that House of thirty years' standing, that in his opinion this rule ought to be revised. If the strict forms of the House were adhered to, nine-tenths of their time would be occupied with those forms.

Mr. George Bankes, in reply to the hon. and learned Member (Mr. O'Connell) begged to state, that the Speaker's room was within the doors which were locked during divisions. As to the question which had occupied so much time, he must ask, whether Members who had been engaged all day in the Library writing letters, ought to be allowed to vote upon a question to which, when put by the Chairman, those who had been present during the whole discussion, hardly knew whether they were to say "ay" or "no." If they were to be brought down there on a Saturday, the supporters of the Bill ought to be present. It was not to be tolerated that a majority of the House should be in the library; and he was of opinion that this rule ought to be enforced on every occasion.

Mr. Stanley said, that he was exceedingly tempted to answer the Gentleman opposite, but he would not yield to the temptation. He rose merely for the purpose of putting it to the Committee, whether this discussion ought to be allowed to go on, to the obstruction of the business which they were met to transact.

The Chairman must suggest to the Committee, that although hon. Members had, in the course of the Committee, wandered very far from the points immediately under discussion, yet that they had never so completely lost sight of the question before them as they had to-day.

Mr. O'Connell would not detain the Committee two minutes. The hon. member for Corfe Castle (Mr. G. Bankes) had misunderstood him. He had complained, not of Members having been brought from the Speaker's room, but of those Members not having had the question put to them.

Mr. George Bankes: They might have

demanding to have the question put to them.

Mr. Daniel O'Connell: It was demanded, and refused.

Mr. George Banks: If it was demanded, they ought to have had it put to them.

The original question agreed to.

Mr. Davies Gilbert rose to bring under the notice of the Committee the claims of Penzance to return one Representative to Parliament. In doing so he must disclaim any reference to the number of Members nominally sent by Cornwall, because he believed that county would be much more amply represented by the new, than under the old system. The claim of Penzance rested on the size and population of the town and adjacent district, and on the respectability, wealth, and intelligence of the inhabitants. He begged to move, that Penzance, with the parish in which it stood, with an adjoining parish, which contained two small towns, and the town of Marazion, should return one Member. The population of these united places amounted to 17,000 or 18,000. Penzance furnished a large supply of tin, and possessed one of the greatest fisheries in the kingdom. It possessed also an extensive foreign trade, and had a pier, built by the inhabitants themselves, capable of sheltering many vessels. He should abstain from carrying his motion to a division, but would leave it in the hands of Government, with a full persuasion, that by such a course he best served the interest of his friends.

Lord John Russell said, that unless very strong grounds had been laid for giving a Member in this instance, and he did not think that such had been the case, his Majesty's Ministers would be unwilling to disturb the balance of the number of Members, as already settled. Though Penzance was a respectable town, there were other towns in Cornwall which could put in equal claims to entitle them to have a Member each, and it appeared to him that the present Bill gave an abundantly sufficient proportion of Representatives to Cornwall.

Mr. Davies Gilbert said, he was ready to withdraw his motion; but he would recommend the case of Penzance to the candid attention of his Majesty's Ministers. He thought that, at least, it should be added to St. Ives, which was only seven miles distant from it,

Mr. Pendurvis said, that he did not

think that Penzance was one of those places which ought to get one Representative. He was sure that such was the feeling of the respectable persons there; for if they had wished for a Representative, he was certain, that they would have forwarded a memorial to that effect.

Motion withdrawn.

Mr. Wason said, Ministers had laid down no rule for enfranchisement, and he did not believe they could frame one that would not have been liable to great objections; but this imposed upon him and others, the necessity of comparing the places which were to receive Representatives, with those which were excluded from that privilege by the present measure. He had not had any previous or private communication with Government, as to the amendment he meant to move, because the noble Lord who possessed considerable property in the place to which his amendment applied, being a political supporter of the Ministers, he did not wish it to furnish the least ground for any insinuations or taunts of partiality. The place he wished to bring under the notice of the Committee was, Toxteth Park, which need not fear comparison with any place in the kingdom for wealth and intelligence. He had much wished to bring his proposition forward when Gateshead was allowed a Member, because it would be easy to show that Toxteth Park had much greater claims, than that place, both as to wealth and population, and as the claim of the former was based on the shipping interest, Toxteth Park was as far superior to it on that account as was Liverpool to Newcastle. The Committee had in many cases decided, that contiguity was no objection to granting the elective franchise, and therefore, there could be no objection on that account to Toxteth Park, which joined Liverpool in the same manner as the metropolitan districts were connected with the City of London. At the same time, the boundaries were as distinct and as well defined as any county or parish. Before going into the particulars of the comparisons he proposed to institute, he wished to be allowed to remark, that Lancashire would only have one Member to every 52,000 inhabitants, while Yorkshire would have one to 32,000, and Durham one to 20,000. According to the returns on the Table it appeared, that Harrington and Toxteth had a population of 24,000 inhabitants, a greater number than sixteen

of the towns in schedule D. They contained 1,119 10*l.* houses; and 624 houses of the value of 20*l.* and upwards; a greater number than twenty of the towns in schedule B, and as many as four of the places included in that schedule united together. He thought this statement was amply sufficient to entitle these places to receive one Member. In comparing Toxteth with Salford and Gateshead, which had been separated, the latter from Newcastle, and the former from Manchester, for the purpose of separately returning one Member each, it would be first necessary to compare Liverpool with Newcastle and Manchester, in order to show, that if it were necessary to separate their suburbs on account of their numerous constituencies, it was still more necessary to separate Toxteth from Liverpool. Liverpool contained 2,851 10*l.* houses, and 2,387 20*l.* houses and upwards, more than Manchester and Salford; Liverpool and Toxteth had 9,853 10*l.* houses, and 4,601 20*l.* houses and upwards, more than Newcastle and Gateshead. Toxteth itself contained 153 10*l.* houses, and 161 20*l.* houses, more than Salford; and 642 10*l.* houses, and 476 20*l.* houses, more than Gateshead. By this statement it appeared, that the future constituency of Liverpool would be larger than that of Manchester and Newcastle, and that of Toxteth greater than that of Salford or Gateshead. Indeed there were more houses of upwards of 20*l.* value in Toxteth, than in both these places united. To grant Members to such places, and refuse one to Toxteth was an act of political injustice. He therefore begged leave to move, that Toxteth Park be included in the provisions of schedule D.

Lord Althorp was ready to admit, that Toxteth Park was a most important district of the flourishing town of Liverpool, but he must say, that if they were to give more Representatives to the commercial interest, there would be many commercial places which possessed greater claims than Toxteth Park to Representatives. There was Ashton-under-Lyne, and several equally important places. If they could conveniently add Members to the commercial interest, he would wish to bestow one upon Ashton, because Toxteth Park was sure of being adequately represented with Liverpool. On these grounds he must oppose the proposition of the hon. Gentleman.

Mr. Ewart said, that the arguments

urged by the hon. member for Ipswich might be very good reasons for giving an additional Member to Liverpool, but they did not constitute any grounds for separating Toxteth Park from Liverpool, with which it was completely identified. If they separated this district from Liverpool, it would deprive that town of the most respectable portion of its constituency. The inhabitants of Toxteth Park themselves had no desire to be separated. They had not petitioned for it, nor made any application whatever. He should certainly oppose the Motion.

Lord Stanley said, as he had been alluded to by the hon. Member, and as Representative for the county, he must declare, that he was decidedly opposed to the motion, for which he would give his reasons as briefly as possible. The arguments used were, that the places were closely allied, and had the same commercial interests: this clearly proved, that they ought not to be separated. That was a strong reason, combined with the great wealth and respectability of Liverpool, for giving that place another Member, but no reason for dividing it into districts for that purpose. He should have been much gratified if additional Representation could be given to Liverpool, which he thought was inadequately represented, when its commercial importance and rising greatness were considered. The House must be aware that the two places mentioned in the hon. Gentleman's motion, were only two of the branches of that great town, which was extending itself in all directions. These branches consisted of four towns, first, Toxteth Park and Harrington, which contained 24,000 souls; second, West Derby, with a population of 12,000; third, Churchill, with 9,000; and fourth, Everton, with 3,000 inhabitants. All these were in the immediate vicinity of Liverpool, and were considered part of that town. If additional Representation was allotted to Liverpool, the whole ought to be included, instead of confining them to one part, as proposed by the hon. Member. He conceived no case had been made out for the separation, but directly the reverse. He must, therefore, oppose the Motion.

Mr. Wason perceived the sense of the House was against him, and therefore begged leave to withdraw his Motion.

Motion withdrawn.

The question put, that the clause, as amended, "stand part of the Bill."

Mr. *Estcourt* said, he rose merely for the purpose of throwing out a suggestion to Government, and not of proposing any amendment. It appeared to him that, as the Bill stood at present, the western clothing district of Wiltshire, Gloucestershire, and Dorsetshire would not have its fair proportion of Representation, as compared with other parts of the kingdom, particularly the northern clothing district. It would be a mockery to say that the giving a Representative to Cheltenham was making any addition to the Representation of Gloucestershire, for any one acquainted with the circumstances of Cheltenham, must know, that its Representative was not at all likely to be a Gloucestershire man. His Majesty's Ministers should have allotted the Representatives given under the present Bill, so as to afford a fair Representation to all the various interests in the country. He thought, that the towns of Bradford and Trowbridge, in Wilts, and Stroud, Gloucestershire, containing as they did a numerous population, and forming the centres of a great clothing district, were clearly entitled to Representatives. Four Members were to be added to counties for the purpose of giving a more effectual Representation of the agricultural districts; but if Members were not given to the places he had mentioned, and others of the same description, the clothing interests of the west of England would not be represented at all. He wished to know whether his Majesty's Ministers would allow those districts to have Members? Perhaps the answer to this would be, that they did not desire to have this privilege conferred on them—that they had presented no memorial on the subject. It was not on such a principle they should legislate. They ought not to attend to the present inclinations or partialities of individuals; not consult alone the interest or the wishes of the present moment, but those of posterity. But he was afraid, that communications had been made to his Majesty's Ministers by private individuals, upon prejudiced feelings, and that upon such communications the Ministers in this instance had acted.

Lord *Althorp* said, that the hon. Member had assumed certain premises altogether gratuitously. Private and prejudiced representations had not been admitted by his Majesty's Ministers in laying down the plan of Reform which

was now submitted to the country. They found no other town in Gloucestershire with a population equal to Cheltenham, and they had, on that account alone, given it Members. He did not know why the clothing interests should not be as much and as fully represented, after the passing of this Bill, as they were under the present system. He admitted the great importance of those districts in the counties that had been alluded to, and he was perfectly satisfied, that the proposed addition of Members to Wiltshire and Gloucestershire would secure a proper Representation of those clothing districts. Where Ministers had not found any large and populous towns in counties, their object had been, to leave out districts altogether, with few exceptions, giving the Members to the counties; with the exception of Cheltenham, there was no town in either county which had a sufficient population to require a Representative. His Majesty's Ministers, therefore, did not think that there were any grounds for giving Members to Bradford or Trowbridge.

Mr. *Bennett* certainly thought, that Bradford and Trowbridge were entitled to Members. They were contiguous, and contained a flourishing and numerous population. The inhabitants, however, of those towns had sent up no memorial to that effect. If they had done so, he would have supported it. He begged his Majesty's Ministers to reconsider this part of the Bill.

Mr. *Robert Gordon* thought it was not sufficient to say these towns had presented no memorial. If they were entitled to a Member they ought to have one, whether they had presented a memorial or not. These towns had a right to be represented, having each at present a population of 10,000. Ministers, however, were sure of a majority. Their argument was, "it is so, and it shall be so."

Mr. *Croker* saw no reason why the same rule should not be applied here as in the case of Wolverhampton, where three parishes were united, and a Member given to the connected parishes and townships.

Lord *Milton* did not believe, that either of these towns contained a population of 10,000; and to unite them for the purpose of making up that number would be against the principle of the Bill. He must say, that to him it appeared foolish and preposterous to suppose that the agri-

cultural interest in that House would neglect or act in hostility to the manufacturing. He begged the Committee to reflect, that county Members were not exclusively the Representatives of agricultural interests. And he believed, therefore, that the clothing interest in the west of England would be adequately represented by the new Members given to Wilts and Gloucestershire.

The question "that the third clause, as amended, do stand part of the Bill," carried without a division.

On the next clause, "That the towns of Weymouth and Melcombe Regis shall, for the purposes of this Act, be taken as one town; and shall, after the end of the present Parliament, return only ——— Members to serve in Parliament,"

Mr. *Baring Wall* said, that his return to that House was a proof of the re-action which had taken place throughout the country on the subject of the Reform Bill; and he believed that that re-action was very much promoted by the conduct of Government, in making no replies to the objections which, from time to time, had been made to it—a course of conduct which had given the people, at least of Dorsetshire, less faith in that measure than they formerly had. With regard to Weymouth, the people there were moderate Reformers, and the request he had now to make for them was, not to retain four Members, but that they might be allowed three. After the speech made by the hon. member for Cricklade, he (Mr. Baring Wall) knew well the difficulty there would be to get Government to alter their opinions, or to do any act of grace or favour which they had made up their minds not to do. In the reign of Elizabeth, Weymouth and Melcombe Regis were incorporated, and had, ever since, enjoyed the same privileges. Melcombe had alone 4,000 inhabitants, and Weymouth more than 2,000. Upon the principles laid down for schedules A and B, Melcombe ought to retain its two Members, and Weymouth one. As far as regarded the latter place, it was peculiarly situated. There was only one borough in the county of Dorset (Poole) untouched. Dorchester and Bridport, two of the principal towns of the county, were in schedule B, and both these cases had excited a strong feeling in the minds of the people in that county, which they considered had been very ill used. At the time of his

election, wishing to make himself popular, he began to feel his way a little, and very soon found, the more he deprecated the conduct of his Majesty's Ministers, the more likely he was to be popular. And he had no hesitation in saying, that had the election continued for the space of nine days, so that the conduct of Ministers should have become fully known, there would not have been one Reformer in Weymouth. He should have other opportunities of addressing the House on the general measure, but he must say now, he thought there ought to have been but one schedule, and a population of 3,000 taken as a measure of disfranchisement. He had insuperable objections to schedule B, because he was sure it would create more enmity than was at present thought of. It would set Tory against Whig, and Churchman against Dissenter. It was not his intention to divide the Committee on the question, but he trusted they would take it into particular consideration.

Mr. *Masterton Ure* stated, that, as the clause in question affected the rights and privileges of those towns which he had, for a long period, had the honour of representing in that House, he hoped he might be allowed to make a few observations. In doing so, he wished to avoid entering into the general principle of the Bill, being anxious to save the time of the House. He felt it necessary, however, to say, that he had always been hostile to disfranchisement, conceiving that it was neither right nor just to take away privileges conferred by Charters and Acts of Parliament, without the consent of those who enjoyed them, or their having forfeited them by misconduct. He felt this more especially with regard to those places which, instead of going to decay, had risen in wealth and population. With regard to Weymouth and Melcombe Regis, he begged leave to state, that Melcombe Regis had been enfranchised as a borough by Edward 1st, in the eighth year of the reign of that monarch. Weymouth had been enfranchised by Edward 2nd, in the twelfth year of his reign. Those two boroughs had sent two Members each to Parliament, from those periods downwards to the time of Queen Elizabeth, with interruptions of certain periods in the reigns of Edward 5th, Richard 3rd, Henry 7th, and Henry 8th. In the time of Queen Elizabeth, in consequence of

disputes which arose between the two towns, each claiming certain rights in the harbour which divided them, and other causes, that Queen, under the advice of that celebrated Statesman, Lord Treasurer Cecil, incorporated the two towns. An Act of Parliament was passed in the 13th year of her reign, by which the two boroughs were united under one Corporation, preserving, however, their two Members each, the four Members being returned in one indenture. It appeared, by an article written by Mr. John Coker, in the Bodleian Library at Oxford, which refers to this union by Queen Elizabeth, that "immediately on which they enjoined themselves together by that faire bridge of timber which ye see; yet still they send either of them two Burgesses to Parliament." He mentioned this for the purpose of showing, that the Act of Queen Elizabeth had not infringed on the right of these boroughs as to the number of their Representatives. He regretted, that the noble Lord, the author of this Bill (Lord John Russell), had left the House, for he thought he could claim some favour from him for Weymouth, when he reminded that noble Lord, that it was the accident of Philip, King of Castile, and his Queen, having landed at Weymouth, and afterwards going to the Court of King Henry 7th, carrying with them Mr. Russell, which first led to the magnificent fortune and lofty titles of the house of Bedford. The name, too, of a Lord John Russell appeared in some ancient documents as the owner of property at Weymouth. Weymouth had frequently rendered important services to the State. In the time of Edward 3rd, when that sovereign was anxious to lay claim to the Crown of France, Weymouth furnished to the King twenty ships and 264 mariners. He had already stated, that he would avoid, on the present occasion, entering into a general discussion on the principle of the Bill. If the whole of existing rights had been swept away, and the Committee were dealing out the Representation by departments, he certainly could not stand forward as the advocate of the claim he intended to make; but he thought he was entitled to claim the benefit of the line of demarcation which the author of the Bill had drawn. The population of Melcombe Regis, by the census of 1821, was 4,252; the population of Weymouth, by the same census,

was 2,370. By the census of 1831, which he thought the framers of the Bill should have adopted, in preference to a census taken ten years ago, the population of Melcombe Regis was 5,126, and the population of Weymouth was 2,529. It was proper to remark, that the census was taken at a period of the year (May) when the population was less than at other periods. The towns of Weymouth and Melcombe paid 3,746*l.* of assessed taxes. The number of houses rated to the poor, at and above 10*l.* per annum, amounted to 948. These towns were increasing, both in wealth and population, and he, therefore, considered, that even under the provisions of this Bill, they were entitled to retain their rights and privileges, so far as that Melcombe Regis, the population of which entitled it to two Members, should continue to send two, and that Weymouth, whose population entitled it to one Member, should have the privilege of returning one Member accordingly.

Lord Althorp was rather surprised at the observation of the hon. Member who spoke first on this question, that Ministers had decreased in popularity from their not speaking enough, or sufficiently often, on the Bill. For his part he apprehended that the complaint would have been quite the other way. It generally fell to his lot to have to get up and speak five or six times every night, and which he thought sufficient in all reason, especially as what he had to say was chiefly to repeat a refutation of statements which had been reiterated from the other side of the House about thirty times, and had been as often refuted. The boroughs of Weymouth and Melcombe Regis had been incorporated ever since the reign of Queen Elizabeth, and he did not see any reason whatever for separating them now. Similar applications had been resisted by the Committee, in the case of East and West Looe, and of several other places; and, if the present wish were complied with, it would justify charges of inconsistency and unfairness against Government.

The clause agreed to.

The next question was, "that the blank be filled up with the word 'two.'"

Mr. George Bankes hoped, that an opportunity would be taken, in the progress of the Bill, to move, that Melcombe and Weymouth should return three instead of two Members. The Gentlemen at the other side of the House gave the noble

Lord (the Chancellor of the Exchequer) the whole pleasure of answering all questions; but his answers were so unsatisfactory, that the country was beginning to see, that the course of equity and justice had not been pursued, even on the principles laid down. He agreed with his hon. friend (Mr. Baring Wall), that Dorsetshire was hardly used. The returns of the value of houses under the house duty proved, that it had a considerable majority of 10*l.*, 15*l.*, and 20*l.* houses over the counties of Northumberland and Derby, which were to have an equal number of Members. He could not help thinking the case of Melcombe and Weymouth a hardship, though they were only divided by a bridge, when he remembered the decision of the House on the case of Gateshead. The trade of Melcombe was considerable, and it was a singular fact that, next to London, it furnished the greatest number of ships to Elizabeth, to oppose the Armada.

Lord *Althorp* said, this was a proof that it had decayed, and its importance diminished.

Mr. *George Bankes* said, not at all; it only shewed that the spirit of the inhabitants then was great; and he was sure, if any national emergency should arise, they would now make equal efforts. Weymouth was more a place of fashionable resort than of trade; but it did not diminish the regret of the inhabitants of Melcombe at having their own Members taken away, when they found, that the rival towns of Cheltenham and Brighton were now enfranchised. He could see no reason why those places should not have Members, and Weymouth keep what that town now had. The Government had still many Representatives to dispose of.

Mr. *Portman* had been, within the last few days, in Dorsetshire, and could take it upon him to say, in opposition to the hon. member for Weymouth, that the feelings of the people in favour of the Reform Bill had, so far from abating, if possible, increased in intensity. This was plain, from the circumstance that steps had been taken to call a county meeting, to urge Ministers to expedite the progress of the Bill; and that meeting would still be held should that progress continue at its present slow rate. One fact alone was decisive as to the feeling of the county of Dorset in favour of Reform; it had rejected Mr. Bankes, who had for many

years been their Representative, and whose family was one of the most respectable and influential in the county, merely because he was opposed to the Bill, and had elected in his stead a right hon. Gentleman (Mr. Calcraft), solely because he pledged himself to support the Bill.

Mr. *Baring Wall* repeated, that the opinions of the inhabitants in the vicinity of Weymouth were very much altered, and that a decided re-action against the Bill had taken place. In Dorchester and Bridport also great dissatisfaction existed.

Mr. *Portman* said, his hon. friend must not suppose the feelings of Bridport and Dorchester, which were to be partially disfranchised, were the feelings of the whole county of Dorset.

Lord *Milton* observed, that, according to the provisions of this Bill, Dorsetshire, which, in 1821, had a population of 144,000 inhabitants, would return eleven Members; Cambridge, with 120,000, would return but five; and Chester, with a population of 270,000, nearly double that of Dorsetshire, would have no more than eight Members. Under these circumstances, Dorsetshire had no cause to complain. Bridport and Dorchester, it was probable, would feel hurt at being partially disfranchised, but the feeling could not be general in the county.

Lord *Stormont* wished the noble Lord had gone a little farther north with his comparative statements. He would have there found, that the county of Perth, with a population of 140,000 inhabitants, had only one Member. He, therefore, hoped they should have the noble Lord's support, when they came to the consideration of giving additional Members to that part of the United Kingdom.

Lord *Milton* said, not upon account of population; that was not his test of enfranchisement.

Mr. *Baring Wall* said, the chief ground of complaint at Dorchester and Bridport was, that the 10*l.* householders of these places would have a vote for one Member only, while the inhabitants of the disfranchised town of Corfe Castle, and other small places, would have votes for two. Thus the electors in schedule B were worse used than those in schedule A.

Question put and carried. House resumed. Committee to sit again on Tuesday.

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HOUSE OF LORDS,

Monday, August 8, 1831.

MINUTES.] Petitions presented. By Earl GOWER, from the Clergy, Magistrates, and other Inhabitants of Burslem, in Staffordshire, for an alteration in the Beer Act. By Lord CARRERY, from the Inhabitants of Cork, Bandon, and from the Magistrates of Cork, in favour of the Grant to the Kildare Street Society.

BANKRUPTCY COURT BILL.] The *Lord Chancellor* stated, that in consequence of the absence of certain noble and learned Lords, he had, from time to time, postponed the consideration of this Bill, and he had still to lament the absence of the noble and learned Lord at the head of the Court of King's Bench, whom he, in common with all their Lordships, was most anxious to see present at the discussion which might arise upon certain details of the measure. He, therefore, proposed, that this Bill should be committed now, and the Amendments inserted; and that then the Bill should be printed, and be re-committed on Friday week, when the discussion on the principle might take place on the motion for its re-commitment. He proposed so late a day as Friday week, in order to give an opportunity to his noble and learned friend to be present, and he was pretty sure that his Lordship could attend on that day; besides that, this would accommodate another noble and learned friend of his, who he knew was desirous of leaving town for a few days. He had three or four clauses to introduce into the Bill.

Lord Wynford objected to the introduction of the clause for regulating the salaries of the Judges, Commissioners, Assignees, &c., without having consulted all the Judges.

The *Lord Chancellor* intimated, that this objection might be taken on the motion for the re-commitment.

The Earl of Eldon observed, that he had received no notice of the first or second reading of the Bill. If he had known when the second reading of the Bill was to come on, he would certainly have been in his place, to oppose it; and as that was the proper time for discussing the principle, he thought, that due notice should have been given him.

The *Lord Chancellor* explained, that although the second reading was usually the first stage at which the principle was discussed, it was conformable to the practice of this and the other House, to take the debate concerning the principle on the mo-

tion for going into the Committee, or on the motion for the re-commitment. It was very convenient on some occasions, that the blanks should be filled up before the discussion on the principle, as it then would best appear what the Bill really was. It had been his object to make the Bill as complete as possible before the discussion on the principle, and to postpone that discussion until all his noble and learned friends, who might be desirous to take a part in it, should be present.

The Earl of Eldon was satisfied with this explanation.

The Bill went through a Committee, and to be re-committed on Friday week.

HOUSE OF COMMONS,

Monday, August 8, 1831.

MINUTES.] Bills brought in. To establish a general system of Education in Ireland. Read a second time; Select Vestries: Hackney Coaches.

Returns ordered. On the Motion of Mr. HUME, number of Inspectors of Taxes in the United Kingdom, with their names, dates of appointments, and salaries in the year 1830:—On the Motion of Mr. GOULBURN, of the prices of Sea-borne Coal to London, on the 1st of May, 1st of June, and 1st of July, in each of the years 1850 and 1851, distinguishing the several heads of Coal.

Petitions presented. By Mr. BLACKNEY, from the Catholic Inhabitants of the parish of Rathvilly, against any further Grant to the Kildare Street Society; and by Mr. WYSE, from the parish of Faithlegg, Powerstown, and Lisonagh. By Lord CASTLEREAGH, from the Clergy, Land-holders, and Inhabitants of the parish of Loughinisland; and from the parish of Inch, for the continuation of the Grant. By Mr. WYSE, from the Land-holders, and Householders of the County of Tipperary, for a revision of the Grand Jury Laws (Ireland); from the Inhabitants of Ennismore, complaining of the reduction of the Duty on Barilla; from the Inhabitants of Dublin, for the enactment of Poor Laws; from the Mercantile Classes of Galway, for an additional Representative. By Lord CASTLEREAGH, from the Land-holders of Dromore, for the introduction of Poor Laws. By Mr. GREENE, from Worsted Spinners, against the Cotton Factories Apprentices Bill. By Lord BRABAZON, from Joseph Jackson, praying for an alteration of the Law of Landlord and Tenant. By Mr. BENETT, from Bradford, Wilts, for the Reform Bill to be expedited. By Mr. DIXON, from the West India Merchants, and Planters of Glasgow, against the renewal of the Sugar Refining Act.

DUBLIN CITY ELECTION.] Mr. Robert Gordon presented the report of the Committee on the Dublin Election Petition. The report stated, that Robert Harty and Lewis Perrin were not duly elected; that the election was null and void; that the petition was not frivolous and vexatious; and that the opposition was not frivolous and vexatious.—The Report read.

Mr. Robert Gordon said, he had been instructed, in the name of the Committee, to present a special report to the House,

with certain resolutions which had been agreed to by that Committee. This Report was as follows:—

“1st. That Robert Harty and Lewis Perrin, Esqrs. were, by their agents, guilty of bribery at the last election for the said city.

“2nd. That it appears to this Committee, that certain individuals holding official situations in Ireland, or considered to be connected with the Irish Government, did, at the last election for the city of Dublin, in contravention of the Resolutions of the House of Commons, use undue influence in favour of, and with a view to aid and assist in, the election and return of the sitting members for the city of Dublin.

“3rd. That the Chairman be requested to move, that this report, with the evidence taken before the said Committee, be printed.”

Minutes of the proceedings and evidence taken before the Committee ordered to be laid before the House.—Minutes of the proceedings and evidence presented accordingly.

To lie on the Table, and to be printed.

Mr. *Robert Gordon* then moved, that the Speaker do issue a writ for an election of two Members to serve for the city of Dublin.

Mr. *Hunt* said, he had proposed to stay the issue of the writ, to afford time for inquiry; but as the majority of the Committee were against him, he had yielded to their opinion, and had contented himself by declaring his own sentiments.

Mr. *Cresset Pelham* said, that the case very much resembled that of Liverpool, and required to be closely investigated. He was of opinion, that the patronage of the Treasury had been employed in both cases. In the report just read, mention was made of the interference of Government officers. They would not dispense impartial justice, nor protect their own rights, if they did not suspend the writ, to allow further time for inquiry. He would therefore move, that the issue of the writ be postponed for a week.

Mr. *O'Connell* seconded the Motion. There was something very suspicious in the language of the report, where it spoke of persons supposed to be connected with the Government having influenced the election. The fact was, that every Government for the time being interfered in the elections for Dublin; and the Police Magistrates, who were removable at the

pleasure of the Government, were made members of the Corporation, purely in order that they might be used to support the Government candidates. He thought the state of the Corporation, who granted the franchise, as well as those who exercised it, should be strictly inquired into; and he, therefore, gladly availed himself of the hon. Member's Motion for that purpose, in order that they might have time for inquiry.

Mr. *Baldwin* thought it unfair to discuss the merits of the question upon the present occasion.

The *Speaker* said, the usual course was, to move, not that the issue of the Writ be stayed, but that the debate be adjourned till that day week.

Motion amended accordingly.

Sir *Charles Burrell* said, he was averse to inquiries at the bar, after what he had seen lately, when the evidence taken before that House had been contradicted by that taken before the House of Lords. Until they had the power of examining witnesses on oath, they must meet with nothing but prevarication, and their time and labour would be lost. At all events, the writ, in his opinion, should issue, even if they inquired afterwards.

Mr. *Leader* was of opinion, that the case alluded to in the report should be fully investigated, both for the sake of the Government, and the independence of that House.

Mr. *Crampton* did not oppose the delay required by hon. Members, but he thought it right to say, that the freemen of the city of Dublin were not generally implicated in the practices complained of, and that there was nothing in these practices which could incapacitate the great body from the exercise of their privileges. He begged, at the same time, to observe, that a gentleman, a friend of his, had good right to complain of the manner in which hearsay evidence had been admitted with respect to his conduct. He believed he was out of order, and he would, therefore, merely say, that the case, as it affected the freemen of the city of Dublin, was, in his opinion, very slight, and would, he thought, on inquiry, be found so.

Sir *Robert Inglis* thought, the question of suspending the writ should have been left to the Committee. That Committee, through their Chairman, had laid a report on the Table of the House, but they had not recommended the writ to be stayed; and as they were acquainted with all the

facts of the case, the House was bound to adopt the more constitutional course of deferring to their judgment.

Sir *Henry Hardinge* agreed in the propriety of this view of the case, and thought with the Solicitor General for Ireland (Mr. Crampton), that it would be unjust to the Parliament, and to the city of Dublin, to postpone the issue of the writ. He was also of opinion, that it was unjust to indulge in observations, until the evidence was in the hands of Members; for he was convinced a satisfactory explanation would be given of the conduct of persons connected with the Government of Ireland.

Mr. *James Grattan* was in favour of the postponement, in order to afford time for inquiry. He was the more anxious for inquiry, as the conduct of a relation of his had been commented on in the course of the proceedings.

Mr. *Hume* supported the postponement of the writ, as the same persons who had interfered already in the election, might otherwise interfere again.

Mr. *Cutlar Ferguson* supported the Motion for adjournment. He did not think the report of the Committee quite satisfactory. It informed them that gross bribery had prevailed, and official persons had interfered; but the manner in which it was worded made it difficult to determine, whether or not there had been a violation of the rules of the House.

Mr. *Robert Gordon* said, that as a private individual, and not as a member of the Committee, he had contemplated some ulterior proceedings. There was, however, this great difference between the case of Liverpool and Dublin, that, in the first, the whole mass of the electors were corrupted, but, in the latter, a part only had been proved to have received bribes, or been improperly influenced.

Mr. *Maberly* opposed the motion for adjournment, and observed, that if they suspended the writ in this case, they must do the same in every case where bribery of any kind was proved to have been practised. It had never hitherto been the practice to suspend the writ, unless it appeared the great body of the electors had been corrupted; and that was not the case at present.

Mr. *Wilks* thought it would be a harsh and unconstitutional proceeding, under such circumstances, to deprive the innocent and honourable portion of the freemen of the city of Dublin of the power to

choose their Representatives for, perhaps, six months to come.

Mr. *Ridley Colborne* was of the same opinion. Bribery had been proved against a certain number of electors, but it was by no means so general as to justify the House in withholding the writ, and thereby deprive 6,000 or 7,000 electors of their rights. He admitted, that some inquiry should take place, after the evidence had been printed, and was in possession of the Members of the House.

Mr. *Anthony Lefroy*, as a member of the Corporation of Dublin, was persuaded, the constituency of that city were not generally open to the charge of being corrupt; and he would therefore support the issuing of the writ. He thought, that the delinquents in this case should be brought to justice, whoever they might be; and that if persons in high situations had been guilty of corrupting the voters, that their high situation should not screen them.

Mr. *Cresset Pelham* was satisfied, that the report made it necessary to suspend the writ, agreeable to his Motion. This opinion was strengthened by the hon. Chairman of the Committee having declared his intention to take ulterior proceedings. He was, therefore, justified in asserting this was not a common case of bribery and corruption.

Mr. *Hughes Hughes* asked, if he understood the hon. Chairman of the Committee rightly, when he said he would take some proceedings in the case himself? He rather apprehended, the hon. member for Shropshire had been, in some degree, mistaken in that respect.

Mr. *Robert Gordon* did not pledge himself to do so. He retained the right to do so, if he found it expedient.

Sir *Charles Burrell* wished to save the time of the House, by preventing the examination of witnesses at the bar. There was this difference between the present case, and those of Liverpool and Penryn: in the latter cases, bribery was general; here, it was only partial.

An *Hon. Member* recommended the suspension of the proceedings until the House should be in possession of the evidence.

Mr. *Francis Baring* thought it would be a harsh proceeding to suspend the Writ for a single day, unless a much stronger case had been made out.

Mr. *Hunt* said, at least 1,500 persons had been made fictitious freemen for the purpose of voting during the election;

each of whom took false oaths and received bribes: that was proved before the Committee. He was quite convinced, too, that the head of the Government in Ireland was deeply implicated in the practice of influencing the voters, and no one could read the evidence, without feeling that some ulterior measures were necessary. He hoped the hon. Member who had acted as Chairman, would take the question up, which would prevent him (Mr. Hunt) from doing so. In three days the evidence would be in the hands of Members.

The Earl of *Uxbridge* was sure, that the head of the Irish Government would be most anxious for inquiry, and he was equally sure that the inquiry, when it came, would free that nobleman from the gross charge brought against him by the member for Preston.

Mr. *Hunt* could not sit still in that House, and hear himself charged with having made gross accusations. He repeated, that the Marquis of Anglesey, by himself and by his agents, would be found to be implicated in the practices complained of.

The *Speaker* said, that he understood the noble Earl to say, that the imputation was a gross one, but he did not apply that term personally to the hon. member for Preston.

The Earl of *Uxbridge* had merely said, that the imputations would be proved gross on inquiry; should that not be the case, he would retract the expression.

Lord *George Lennox* was a freeman of Dublin, and in that capacity should consider it no slur that the Writ should be suspended; but he confessed, he could see no difference between the present case and that of *Evesham*. In the case of *Evesham*, only eleven persons had been proved to have accepted bribes, and yet the Writ, in that case, was immediately suspended.

Sir *Charles Forbes* said, after what they had heard in the course of the debate, he thought it due to the majority of the constituency of Dublin, that a further inquiry should take place. He should, therefore, certainly vote for the adjournment of the debate on this question.

The House divided on the Amendment—Ayes 51; Noes 76—Majority against the Amendment 25.

List of the AYES.

Brown, J

Brownlow, C.

Chapman, M. L.	Leader, N. P.
Clive, E. B.	Macauley, T. B.
Copeland, Alderman	Mangles, J.
Currie, J.	Mullins, F. W.
Dixon, J.	Osborne, Lord F. G.
Ebrington, Lord	O'Ferrall, R. M.
Evans, Colonel	O'Connell, D.
Forbes, Sir C.	O'Connor, Don
Fox, Col.	Pelham, C.
Ferguson, R. C.	Power, R.
Fergusson, R.	Paget, T.
Gillon, W. D.	Ruthven, E. S.
Gisborne, T.	Rickford, W.
Grattan, J.	Stewart, P. M.
Handley, W. F.	Sinclair, G.
Hume, J.	Torrens, Col.
Hunt, H.	Wyse, T.
Jephson, C. D. O.	Watson, Hon. R.
Johnstone, J. J. H.	Wood, Alderman
Killeen, Lord	Westenra, Hon. H.
Lennox, Lord G.	Weyland, J.
Lambert, H.	Walker, C. A.

The writ to be issued.

MANCHESTER POLITICAL UNION.]

Mr. *Hunt* rose to present a Petition from one of the Political Unions of Manchester. There were in that town two Political Unions—one composed of the middling, the other of the working classes. The petition stated, that the petitioners were deeply interested in the progress of the Reform Bill.

Sir *Robert Inglis* objected to the reading of the petition by the hon. Member, and appealed to the Speaker whether it was not disorderly to do so; and whether, if the House determined that the petition should be read, it ought not to be read by the Clerk.

The *Speaker* said, that the hon. member for the University of Oxford had correctly described the Order of the House. It was, however, competent to an hon. Member to read extracts from a petition, as parts of his speech.

Mr. *Hunt* resumed. He had a vast deal more experience in presenting petitions than the hon. member for Oxford, and he might, therefore, have given him credit for knowing what was regular on such an occasion, but he must be allowed to read extracts from the petition. It prayed that no further delay would be allowed in passing the Reform Bill, of which the petitioners approved, although it contained various anomalies; especially the 10*l.* qualification, and the omission of Vote by Ballot, which might be corrected at some future period.

Mr. *O'Connell* said, the petitioners had

done him the honour to request he would support their petition, which he did very heartily. These petitioners declared themselves Radical Reformers, and yet were decidedly favourable to the Bill; this fact afforded a strong proof of the utility of the measure, which appeared to satisfy all parties.

Sir *Thomas Fremantle* observed, that the petitioners, so far from being satisfied, talked of correcting the anomalies of the Bill in a Reformed Parliament.

Mr. *John Wood* had also been requested to support the prayer of the petition, and, like the petitioners, trusted that the Bill, although it might contain some anomalies, would still be adopted as speedily as possible. He also agreed with them, that any trivial defects it might contain, might be corrected hereafter.

Sir *Robert Inglis* had no doubt but the object of the petitioners was, to have the Bill adopted as soon as possible, in the hope, that a Reformed Parliament would complete what this measure would begin.

Mr. *O'Connell* wished the opponents of the Bill would follow the example of the petitioners, and leave the anomalies of the Bill to be corrected by time and experience.

Mr. *Hunt* must beg leave to apprise the House, that this petition, although agreed to at a general meeting, yet was only signed by the Chairman and Secretary, and, therefore, he was aware it could only be received as the petition of these individuals.

To lie on the Table, and be printed.

COMPULSORY EMIGRATION.] Mr. *Hunt* presented a Petition from the National Union of the Working Classes of the Metropolis, expressing, in strong but just language, the sufferings which they endured from the Corn Laws; and praying for Annual Parliaments, for Universal Suffrage, and for Vote by Ballot; and that there might be no Transportation-laws, and no Starvation-laws. In alluding to Transportation-laws, the petitioners did not mean those laws which inflicted the punishment of transportation for criminal offences, but to the scheme of the Colonial Secretary for compulsory emigration.

The petition to be laid on the Table. On the question that it be printed,

Mr. *Hume* said, that no man was more anxious than he was, to receive the petitions of the people; but he was also

anxious to explain to them any mistake under which they appeared to him to labour. If the petitioners thought, that the aids which were offered to emigration, were in the nature of compulsory transportation, they were mistaken. The fact simply was, that if any persons were desirous of expatriating themselves, Government was ready to afford them all the assistance in its power in the execution of their design. Nothing like compulsory emigration had ever been in contemplation, much less proposed to be carried into effect. He must, therefore, object to the printing of the petition.

Mr. *Cutlar Ferguson* had understood, that an impression prevailed in some portions of the community, that it was the object of Government to transport labourers to the colonies to relieve the poor-rates; but he had not, till now, ever thought it would be necessary to state in that House, that such a measure had never been for one moment entertained.

Mr. *Portman* observed, that anything like compulsory transportation would be censurable; but all Governments were bound to facilitate the voluntary movements of their subjects, either in their own countries, or from one country to another; and he, therefore, hoped, that the Settlement-laws, which prevented Englishmen removing from one parish to another, would be repealed. He objected to printing the present petition, because it contained offensive language.

Mr. *Hunt* observed, that the petitioners might justly complain of being taxed for the purpose of carrying plans of emigration into effect.

Colonel *Torrens* said, that not a shilling of the public money was necessary for the purpose of allowing persons to emigrate.

Mr. *Portman* wished that the petition might be read.

Mr. *Hunt* had read, and approved of it.

Petition read. It characterized the plan of emigration brought forward by Government as an unjust, wicked, and unconstitutional measure, and suggested, that, if any persons were to be sent out to colonize, it might be the idle, luxurious, and titled mendicants of the aristocracy, who lived upon the profits of the working classes. The petitioners declared they wanted no charity, for they disdained to imitate the example, set them by the aristocracy, of living upon others.

Mr. O'Connell hoped that it might be printed, as there was not a word in it derogatory to the House, although it contained a good deal of nonsense.

Lord Althorp was most anxious to receive any petitions of this description; but the question of printing them was a different thing. The present petition was signed by only two persons, and was couched in language not altogether justifiable. Under such circumstances, he did not think the expense of printing it ought to be incurred.

Mr. O'Connell said, that the petition was certainly signed by only two individuals; but then they were the Chairman and Secretary of a large body of persons.

Mr. Hume said, that with respect to emigration, he should certainly like to see all the sinecurists and drones of the community in Canada, instead of the working classes. So far he agreed in opinion with the petitioners; although he did not think that the manner in which they had expressed that opinion was becoming. He proposed, however, that the question, whether or not the petition should be printed, should be postponed until tomorrow; by which time, he and other hon. Members might render themselves better acquainted with its contents.

Mr. Hunt had no objection to this suggestion.

Motion for printing the petition withdrawn.

WESTMINSTER UNION.] Mr. Hunt presented a Petition, also signed by two individuals, the Chairman and Secretary of a large meeting of working classes, called the Westminster Union, which stated, that the petitioners, being aware of the enormous patronage and revenues of the Church of Ireland, and having noticed the intention of Parliament to make an addition to the establishment of the Princess Victoria, they prayed the House to address his Majesty to make her Royal Highness Bishop of Derry, and allow her to receive half the revenues of that See, on the condition of residing in the diocese. As this was a fair project for saving a considerable sum of money, he hoped the petition would not be objected to. He moved for leave to bring it up.

Sir Robert Inglis was proceeding to state, that such a petition ought not to be received, when,

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It appearing that there was no second to the Motion of the hon. member for Preston, the Speaker decided, that there was no question before the House, and the petition was, of course, not brought up.

POLAND.] Mr. Hunt presented another Petition from the Westminster Union, in favour of the Poles. The petitioners stated, that having witnessed with pain that the Emperor of Russia had for some time past, been waging an unjust and iniquitous war against Poland, they sent a memorial to Lord Palmerston, requesting the interposition of Government for the protection of that country; and they complained, that the noble Lord had treated their memorial with the utmost contempt, not having condescended to make any reply to it. They contrasted the noble Lord's uncourteous conduct, with the urbanity manifested by Earl Grey, who returned an answer to the memorial presented to him by the Birmingham Political Union, and concluded by praying the House to address his Majesty to dismiss Lord Palmerston from his Councils. He trusted this petition would not be objected to.

Viscount Palmerston begged to assure the members of the Westminster Union, that it was not from any feeling of disrespect towards them that he had declined to inform them of the intentions of Government, with respect to the war between Russia and Poland.

Mr. Hume said, that this was a question of the utmost importance. He had met no individual who was not anxious to know, whether Government intended to take any measures in behalf of the suffering Poles. He was not desirous of interfering in the affairs of other countries. On the contrary, he thought that England had interfered too much already, and had paid dearly enough for it. But having seen Government interfere on behalf of a Power which, he thought, did not require our assistance, it did appear a fit question to be asked, whether Ministers had interfered in any way, by remonstrance or recommendation, in behalf of the unfortunate Poles, who were struggling for their independence. He reminded the Government, that there were treaties existing, by which they were as much bound to see justice done to Poland, as to Belgium—he alluded to those treaties by which a Constitution was guaranteed to the

Poles. There was nothing which the people of England more desired to know, than whether Ministers, if they possessed any influence, had employed it, in order to put a stop to those horrid scenes of bloodshed, which were passing in the north of Europe. He certainly did not desire the noble Lord (Lord Palmerston) to give any answer which was inconsistent with his duty; but he wished to know, whether any thing was to be done for unhappy Poland?

The petition laid on the Table. On the Motion that it be printed,

Mr. *Hume* said, that he concluded from the silence of the Government, that they intended to do nothing for the Poles, but allow them to remain at the mercy of Russia. He begged leave to second the Motion for the printing of the petition.

Viscount *Palmerston* assured the hon. Member, that his silence did not arise from any disrespect to him; but he had understood, that the hon. Member did not wish to press an answer, if it might be inconvenient for him to give one. He could not, consistently with his duty, give the hon. Member those explanations which he desired; but this, at least, he would undertake to say, that whatever obligations existing treaties imposed, would at all times receive the attention of Government.

Mr. *O'Connell* had observed with regret, that while great sympathy was shown by that House for the king of Holland, none was manifested for the Poles; and yet the conduct of the king of Holland, of which so much had lately been said, could not be vindicated. Never had a revolution been more owing to the despotism of the government, than that which had lately taken place in the Netherlands. The king of Holland had filled his gaols with people, and his scaffolds had reeked with the blood of his subjects. For such a monarch, sympathy was shown by that House, while not one word had been urged in behalf of the Poles, who were struggling for their independence, their country, and even for their existence. Their Constitution had been wrested from them by tyranny and the perversion of treaties. He knew, that the people of England felt indignant that they were so much impoverished by the interference of their government in the affairs of the Continent, as not to be now able to interpose in a commanding manner on behalf of a brave and glorious peo-

ple, struggling for their freedom. He hoped that their struggles would prove successful; but if they did not, either the despotism of Russia would become stronger, or France would render herself more powerful, by gloriously assisting the Poles before their struggles were over. She had already added to her influence, by actively interfering in behalf of Belgium, and the result might be, that she would again extend her boundaries to what had been called her natural limits. He should regret such an event; but he should prefer it to seeing the horrible domination of the king of Holland re-established over unfortunate Belgium. If France, having gained this increase of territory, were to possess great activity, there might, perhaps, a second time, be a dominion in Europe of a military character, which this country would not like to submit to, and yet would not be able to resist.

Sir *Robert Inglis* objected to printing the petition. It assumed, as a matter of course, that the war now waging between Russia and Poland was most unjust and iniquitous on the part of Russia. He did not complain of any Member making such a statement, but he protested against the House being made to adopt that language, by printing and circulating the petition. He also objected to the printing of the petition on another ground, but of minor importance. He did not think, that the House ought to give their sanction to the statement of the petitioners, that "they constituted the most, indeed, the only useful class of his Majesty's subjects."

Colonel *Evans* said, that he had given notice of a motion on the subject of Poland, and his object in bringing the question forward would be, not to draw premature disclosures from the Ministers, but to elicit, from enlightened Members of the House, who were independent of the Government, declarations which would give support to the liberal cause throughout Europe.

Mr. *George Robinson* said, that he was disposed to allow of the greatest latitude with respect to the presentation of petitions, even when they were as absurd as most of those which the hon. member for Preston was in the habit of bringing under the notice of the House; and which he believed, no other Member would undertake to present; but he did object to such petitions being printed. The object of printing petitions, was to give information to Members. Now he would ask the House,

whether the last petition presented by the hon. member for Preston, conveyed any information to Members? He thought, that the printing of the petition, would occasion useless expense, and tend to encourage the presentation of other petitions equally absurd.

Lord *Althorp* said, he could not subscribe to the doctrine of the hon. member for the University of Oxford, that the House, by ordering a petition to be printed, made themselves parties to the sentiments which it expressed. At the same time, he thought, that the objection of the hon. member for Worcester, to the printing of the petition before the House, carried with it considerable weight. The petition certainly conveyed no information to the House. With respect to the printing of petitions, much must depend on the discretion of Members who presented them. A Member should not call upon the House to order the printing of a petition which was perfectly useless. As, however, there existed no very strict rule on the subject, he would suggest, that it would be better for the hon. Member to withdraw his Motion for printing the petition, than for the House to declare, that it should not be printed.

Mr. *Hunt* was willing to concur in the proposition just made by the noble Lord.

Motion for printing the petition withdrawn.

AFFAIRS OF BELGIUM.] Lord *George Bentinck* said, that he was desirous of proposing a question to his noble friend, the Secretary for Foreign Affairs, whom he saw in his place. A publication had come under his view, which stated, that within the last week, the Ambassadors of Great Britain, Austria, Prussia, and Russia, had met in Conference with the French Minister for Foreign Affairs at Paris, and received from that Minister a declaration, that the sole motive for sending French troops into Belgium, was to repel the Dutch invaders, and that as soon as that object should be effected, the French Government would immediately recall the French forces from Belgium; and further, that on no account any other French army should enter the Belgian territories. The question he proposed to his noble friend was this—was the statement, the substance of which he had recited, true? He asked the question, in full confidence that the answer which he should receive from his noble friend, would be such as to show,

that throughout the transactions with respect to Belgium, the conduct of the French government had been marked by the most scrupulous honour, honesty, and good faith; and, on the other hand, that the course of the diplomacy of this country, under the guidance of his noble friend, had been such as to give the world a high notion of its wisdom, prudence, and efficacy. Further, he asked the question, because he felt assured that the answer would be such, as would allay the great anxiety and alarm which prevailed on account of the warlike appearances which had existed for the last few days.

Viscount *Palmerston*, in answer to the question which his noble friend had put to him, begged to assure him, that the statement to which he had alluded, and which he (Lord Palmerston) had seen, was substantially correct. Wednesday last, was he thought the day, when orders were issued by the French government, for getting the troops in readiness to march towards Belgium. On that day, the French Minister for Foreign Affairs in Paris, invited to a Conference, the Ambassadors of England, Austria, Russia, and Prussia, and communicated to them the orders which the French government had given, and the reasons on which they were founded—namely, the advance of the Dutch troops into Belgium, and the application for assistance from Belgium, which had been received by the government of France. This communication was accompanied by an assurance that the march of the French troops had no other object than that which was desired in common by all the great Powers—namely, the preservation of the independence and neutrality of Belgium; and that as soon as the Dutch troops should be repelled within their own frontiers, the troops of France would retire into the department of the north. Upon this, a question was put by the English Ambassador, with respect to the possible occupation of the Belgian fortresses by the French troops; and the reply given to this question was, that the French forces would only pass through the fortresses which lay in their route.

Sir *Richard Vyvyan* asked, whether Government had received official information of the march of the French troops?

Viscount *Palmerston* replied, that Government had received no official intelligence on this subject. He might add, for the further information of the House, that

he had that morning received a despatch from Lord Granville, the British Ambassador at Paris, communicating a written note from the French government, repeating the assurances which had been previously given verbally by the French Minister for Foreign Affairs.

QUARANTINE.] An *Hon. Member* begged to ask the right hon. the Vice President of the Board of Trade, whether it was the intention of Government to propose any alteration in the mode of levying Fees on Vessels performing Quarantine?

Mr. *Poulett Thomson* said, that perhaps, on consideration, it might be desirable to make some alteration. At present these fees were paid by the owners, and did not amount to more than 5,000*l.* a year. It had not yet been determined whether or not they should be wholly abolished, and the expense paid by the country. At all events, he did not propose to make any alteration this Session.

Mr. *Hume* heard this statement of the right hon. Gentleman with regret. It was now three years since he had first brought the subject under the consideration of the House, and he had thought, from the promises he had received, that some measure would have been proposed to amend the system. The right hon. Gentleman said the fees did not exceed 5,000*l.* a year—he believed, on inquiry, it would be found they exceeded five times that sum. The fee was 5*l.* on each vessel, whatever was the amount of her tonnage. The object of keeping up the establishment was for the public benefit; it was, therefore, unjust to call upon the merchant to pay the charges. It was one of the worst species of taxes—one imposed upon misfortune—and it ought to be wholly abolished, and the expenses of the Quarantine Establishment defrayed by the public. England was the only country in the world where such strict regulations were enforced, and where the owners of the ships liable to them were compelled to pay the expense of the constraint they suffered. At present, also, many of the persons subject to them, could not have been previously aware of their liability, because many vessels were at Riga, loaded, and ready to sail, before the cholera appeared there.

Mr. *Ewart* entirely agreed with the hon. member for Middlesex, as to the hardship of imposing quarantine fees

upon the owners of ships. He trusted that his right hon. friend would consider the case at his earliest opportunity, with a view to the revision of the system.

Mr. *Dixon* had presented several petitions from Glasgow, Greenock, and other places, on this subject, and he begged to express his entire concurrence in the remarks of both the hon. Gentlemen who preceded him. The quarantine fees were most oppressive, and ought to be abolished.

Mr. *Hume* would add, that if Government did not attend to the subject, he would bring the matter himself forward at an early period.

RATE OF DUTY ON GAME CERTIFICATES.] Lord *Althorp* stated, that before the House went into a Committee on the Game Bill, it was necessary to agree to a Resolution for fixing the rate of duty on Game Certificates, in a Committee of Supply. He would, therefore, move, that the House resolve itself into a Committee.

The House resolved itself into a Committee.

Lord *Althorp* wished the discussion on the Game Bill to be taken in a Committee on that Bill. The Resolution he meant to propose was only *pro formâ*. He moved "that it is the opinion of this Committee, that an annual duty of 2*l.* shall be paid for every Certificate to empower any person to deal in game."

Colonel *Sibthorp* thought the sum far too small, but he would reserve what he had to say upon the subject until the House should be in Committee on the Game-laws.

Lord *Althorp* said, if the hon. Member intended to move, that the amount should be increased, this was his only opportunity for doing so.

Colonel *Sibthorp* said, the proposed sum was too little for a license, and would allow every poacher in the country to procure one. The sale of game would become general, and game-stalls would be as common as fruit-stands. The amount ought, at least, to be 8*l.*; as otherwise certificates would fall into improper hands.

Lord *Althorp* said, that as the certificates were to be granted by Magistrates at Quarter Sessions, they would take care that they should not fall into improper hands.

Mr. *Hunt* protested against the Sale of Game Bill altogether. England would

indeed be altered, when the landlords of the country would be allowed to make a market of the game, which was bred up at the expense of the farmer.

Mr. *Weyland* said, there ought to be an open market for game, for, at present, it was sold only by the poacher, and the sale was exclusively in his hands. The principle of the Bill was, to open a fair market for game, which had, hitherto, been a monopoly in the hands of the man that took it illegally. Gentlemen who preserved game, must, of course, let their land accordingly. He believed the Bill would be attended with beneficial results, for the existing system had produced the most demoralizing effects. The greater portion of litigation and of punishment in the country, was caused by the infraction of these laws. Every class of the community had reason to rejoice at the proposed alteration. It would lead to the return of that system of sporting which was congenial to the general feeling, and to the re-establishment of that harmony between the different classes which the Game-laws had done so much to interrupt.

Lord *Althorp* said, this was not the time for discussing the clauses. The question before the Committee was, that it was expedient a certain sum should be paid for a license to sell game.

Sir *Charles Burrell* suggested, that the license to sell ought to be on a par with the license to kill. Those certificates, he thought, ought to be given to persons of respectability only: and he objected strongly to granting them to persons who were also licensed to sell beer. It was at these houses that most of the meetings were held which produced the unhappy disturbances of last winter, and they were the causes of the increase of vice and immorality to a great extent. He should wish to see game shops placed under the supervision and control of the police, or they would become mere receptacles for the fruits of poaching. He should recommend the price of the license to be 3*l.* 13*s.* 6*d.* instead of 2*l.*

Lord *Althorp* thought, that this was a point which might more properly be discussed in the Committee on the Game-laws. With respect to increasing the amount of the fee on the certificate, he thought they ought not to check the number of persons desirous of becoming dealers, by charging too high a duty. He should be sorry to raise the sum, because

he thought it was not a good mode of managing a police regulation. With respect to the granting game-selling licenses to the keepers of beer-houses, that would be a subject for the consideration of the Magistrates, who would have the power to grant them.

The Marquis of *Chandos* was sorry to find, that carriers and coachmen were not excluded by this Bill from taking out certificates, as they were by the Bill which he had himself introduced last Session. He hoped the noble Lord would introduce a clause to that effect.

Sir *Matthew White Ridley* thought the charge for a certificate ought not to exceed 2*l.* It was desirable to bring the sellers of game under the control of Magistrates, and under the eye of the police. These were the reasons for having licenses, and the amount proposed was sufficient for those purposes.

Colonel *Sibthorp* thought, it was far too small, as two days' sale of game would more than pay the expense of any sum, within reason, that might be charged for a certificate. His object was, to have respectable dealers. The proposed sum would allow the very lowest persons to obtain licenses.

Mr. *Hunt* would contend, that this was purely a landlords' bill, and was intended for their exclusive benefit. The game often injured the farmer to a greater extent than the whole amount of his rent. He spoke from experience. The landlords never made a sufficient allowance in the rent. The tenants bore all the expense of rearing the game, and ought to have the benefit of selling it.

Mr. *Weyland* said, in Norfolk, where he resided, it was the universal practice to make allowances to farmers who lived near preserves of game. Indeed, it was obvious that no tenant would pay an equal rent for a farm liable to the drawback of a neighbouring preserve, which must diminish the quantity of his produce. He approved of the Bill, because, in his opinion, the sale of game would put an end to poaching.

Mr. *Hunt* spoke as a farmer who had felt the injury, and knew that sufficient allowance was not made for it. The hon. Gentleman spoke as a landlord who had not felt it.

Sir *Thomas Fremantle* hoped the suggestion of his hon. friend, to raise the price of the license, would be adopted. Care ought to be taken that none but the most

respectable persons should obtain licenses.

Sir *Charles Burrell* would not divide the Committee upon his proposition, if he found the general feeling was against it, but he considered it a matter of importance to take care into whose hands the licenses got. In his opinion, it would prevent smugglers and poachers from obtaining them if the duty was increased.

Sir *George Warrender* said, his hon. friend would not obtain the object he appeared to have in view, by the addition of a small amount to the price of a license. Nothing but making it extremely high would have that effect, and then the chances were, that game would be sold without taking out a license.

Sir *Charles Burrell* said, his proposition went to the extent of almost doubling the price of the license.

Mr. *Hume* regretted there should be any discussion as to the price of a license. He considered it better there should be no license at all; for there was nothing like free trade, as a preventive and remedy for all kinds of smuggling.

Mr. *Hunt* suggested, that persons who used a double-barrel gun, should pay 4*l.* for a license, and persons using a single-barrel gun, 2*l.* He himself always used a double-barrel gun.

Lord *Althorp* considered the addition proposed in the price of the license most objectionable, and not likely to produce the effect supposed by the hon. Baronet who proposed it. It must be remembered, that the whole of the licensing of these game-shops would be under the control of the Magistrates, who would undoubtedly be cautious not to grant licenses to improper persons.

Resolution agreed to and the House resumed.

GAME-LAWS.] On the Motion of Lord *Althorp*, the House went into a Committee on the Game Laws Amendment Bill. As it was late in the season, he said, and as he wished to try the experiment of the Bill as early as possible, he should propose that the Act come into operation twenty days after it had passed.

The Marquis of *Chandos* thought it would be better to delay the operation of the Bill until the commencement of the new year, rather than propose an indefinite time. He would, therefore, suggest, it should come into operation on the 1st of January next.

Lord *Althorp* had many objections to this amendment. There were four months between the commencement of the shooting season and Christmas, and as he considered the measure likely to be very beneficial, he wished to derive all the advantages possible from it.

Colonel *Sibthorp* thought, the Bill could not be understood in the short time that was proposed to be allowed for its discussion. It would be much better to have it thoroughly understood before it was to be acted upon.

Sir *Thomas Fremantle* observed, that the Bill, as it stood, might, in some cases, enable the tenant to prevent his landlord from shooting over his own land, and further time should be, therefore, allowed to obviate this inconvenience.

Mr. *Portman* wished the Bill to come into operation immediately after it was passed. He had not the least doubt that some of its clauses would be immediately acted upon, and therefore, great inconvenience would result from the proposition of the noble Marquis. He should even object to the delay of twenty days proposed by the noble Lord.

The Marquis of *Chandos* did not wish to press his proposition, against the sense of the House; but he considered it most desirable that a longer delay than was proposed should be allowed.

An *Hon. Member* considered the proposition of the noble Marquis most objectionable; the great season for poaching and selling game was at Christmas. He hoped this Bill would come into operation before that period and prevent the usual mischief.

Mr. *Hunt* could not agree with the hon. Member, for he knew that thousands of pheasants were sent to Leadenhall Market before the 1st of October. There were many objectionable clauses in the Bill, and he feared it would increase poaching and bloodshed.

Mr. *Wrightson* hoped the Bill would be carried into effect without any delay, as he anticipated the best effects from it.

Mr. *Goulburn* said, it would be much better if such an Act came first into operation at the beginning of the shooting season, rather than at the middle or end of it. The hon. Member had stated, that the new law would be partly acted upon as soon as passed, but that could not be the case. Magistrates had no discretion, but must administer the laws as they existed. They

could not publish under the new law until the old was repealed. He therefore hoped that no doubt would be left as to the time when the Act was to come into operation.

The Marquis of *Chandos* had no other object in view but to make the Bill as perfect as possible. He did not approve of all the clauses, but he highly approved of the principle of reforming the Game-laws.

Mr. *Protheroe* thought it was absurd, after they had agreed to abolish the present laws, to propose to continue them in operation some time longer.

Mr. *Wason* was desirous of knowing, whether this Bill was to extend to Scotland. No lawyer could tell what was the qualification there. It was stated to be a ploughgate of land, but no two men agreed what that quantity was.

Sir *Matthew White Ridley* entertained great objections to the present system, and was desirous of an alteration as soon as possible. If the Bill came into operation twenty days after receiving the royal assent, it might be available for three months during the present season. He indeed wished, that the Bill should come into operation on the 1st of September, rather than the 1st of January. Many laws were carried into effect within a few days of their passing. Poaching was at present carried to such an extent, that a friend of his had received notice, that a caravan of Moor-game would be in town at a particular day, when he might have any quantity he required.

Mr. *Goulburn* thought, that a Bill which contained so many enactments should have a day fixed for coming into operation some months after it was passed. There were distant parts of the country where it could not be known, much less understood in twenty days.

Lord *Althorp* could not agree to the Motion for postponing the commencement of the Act. He had no doubt that it would be soon generally known, and doubts as to the construction of the clauses would not be remedied by delaying its operations.

Sir *Thomas Fremantle* said, that many Gentlemen, unless they had reserved their right, would be placed in the awkward situation of being liable to an action for trespass by their tenantry, according to the letter of this Bill. On this ground alone further time should be allowed to examine it.

Mr. *Weyland* trusted, that every endeavour would be resorted to to make the Bill generally known to the agriculturists, that it might be brought into effect. He had no doubt that an end would be put to poaching by its operation.

Mr. *Wason* desired to be informed, if the Bill was to extend to Wales. There was a doubt also at present, whether the proprietors had a right to sport over their own manors. In Merionethshire the game-preservers had commenced a suit on the part of the Crown, to put a stop to all sporting unless with their permission.

Lord *Althorp* said, the right was undoubtedly vested in the Crown.

Mr. *Wason* said, that was doubtful, and the alleged right was contested particularly on the extensive sheep-walks.

Mr. *George Lamb* was not aware of the state of the case to which the hon. Member alluded, but this Bill could not disturb or control the rights of sporting settled in a Court of Justice. It would not alter in the least degree the mutual rights of landlords and tenants. He saw no reason why the Bill should not come into operation at the time proposed. The details would be immediately known, and would be commented upon by the newspapers.

The Clause, as amended, agreed to.

The Chairman having put the clause, proposing that a penalty, not exceeding 5*l.*, should be inflicted for selling game on Sunday or Christmas day,

Lord *Althorp* proposed as an Amendment, taking into consideration the magnitude of the offence, to make this penalty 10*l.*

Colonel *Sibthorp* very much approved of the alteration, and would suggest, that for using snares, the penalty for the first offence should be 5*l.*, to be increased for subsequent offences by an additional fine, imprisonment, or transportation.

Mr. *Portman* wished it to be remembered, that if the provisions of the Act were framed to award long and severe punishments, the county rates would be materially increased thereby.

Amendment agreed to.

Lord *Milton* proposed an Amendment, to the effect of extending the penalty to game killed in the public roads "or highway." He did not see why game should be pursued in high roads more than in other places, and high roads frequently ran through open fields, commons, and even through preserves.

Mr. *Hunt* must observe, in respect to that part of the clause relating to tracing hares in the snow, that he had never known a man convicted for that merely, nor did he believe, when gentlemen coursed hares in the snow, they were liable to punishment.

Mr. *Wason* presumed it was well known that game, particularly grouse, frequently resorted to highways.

Amendment agreed to.

On the clause, "that nothing in this Act contained shall in anywise affect or alter, except as hereinafter mentioned, the existing laws respecting game certificates,"

Mr. *Ridley Colborne* suggested, that the revenue arising from the duty on game certificates should be farmed out to individuals, instead of being collected as it was at present. Private vigilance and interest would be more likely to discover and enforce penalties. Of those gentlemen who now sported, not one out of a thousand took out game certificates, and they were never suspected, while poor persons were severely punished. He spoke from his own knowledge in many instances, and he believed there were some parts of the country where, in very large districts, not more than four or five persons took out certificates.

Mr. *Goulburn* thought the hon. Member very unfortunate in those he met when he went out sporting. He (Mr. *Goulburn*) sometimes went out with a large party, and he found they had generally taken the precaution of providing themselves with certificates. He was sensible, from experience, of the inconvenience of farming the post-horse duty, and therefore hoped the hon. Gentleman's suggestion would not be adopted.

The Marquis of *Chandos* believed, that it did, unfortunately, happen, that many rich persons were in the habit of sporting without certificates. There was a great difficulty in remedying the evil; but he thought that some remedy would be afforded if all certificates were granted previous to the 1st of September.

Lord *Althorp* was aware of the difficulty now pointed out, and had taken great pains in endeavouring to frame a clause to meet it. He could not say, however, that he had been successful. Gentlemen sometimes took out their certificates in London, and then went down to a distant county, and no one knew whether they

had certificates or not. To oblige persons to take out certificates before the 1st of September, he found, would not remedy the evil, and it would, he feared, injure the revenue.

Mr. *Hunt* hoped the noble Lord (the Chancellor of the Exchequer) would not listen to the recommendation to farm the game-certificate duty. The jealousy of the country gentlemen was, in his opinion, a sufficient security against persons sporting without a certificate. Such persons were always liable to be pointed out to the tax-gatherer.

Lord *Milton* was satisfied, that a great number of persons of all ranks sported without certificates. He wished very much that a heavier penalty could be levied on the gentleman, than on the person in a lower rank of life, who was guilty of sporting without a certificate. It was a much greater crime in the rich man than in the poor; although he did not well see how any distinction could be made in the amount of the penalty. Perhaps the difficulty pointed out by his noble friend (Lord *Althorp*) might be remedied if persons sporting in a county different from that in which they had taken out their certificates were obliged to renew them.

Mr. *Trevor* said, that any poacher could be punished for want of a qualification, and penalties amounting to more than 30*l.* could be imposed upon him for snaring one hare, while a gentleman was only liable to a penalty of 20*l.* for shooting without a certificate. Such a penalty was not adequate to his offence.

The Marquis of *Chandos* was also of opinion, that the penalty of 20*l.* was not sufficient for the gentleman who sported without a certificate, considering the heavy penalties and punishment to which the unfortunate poacher was liable.

Mr. *Horatio Ross* suggested, that certificates taken out after the 1st of September should be charged higher, say 5*l.*, than those taken out previously.

Mr. *Goulburn* feared, that such a regulation would be injurious to the revenue. Gentlemen who forgot to take out their certificates previous to the 1st of September, would not be induced to do so afterwards, by finding that they had to pay 5*l.* instead of 3*l.* 13*s.* 6*d.*

Mr. *John Martin* observed, that the great hardship of certificates was on those who only went out shooting two or three days in a year. He wished the certificate

duty could be made lower for this class of persons.

Mr. *Hunt* thought it would be injurious to the revenue, if the suggestion, as to taking out certificates before the 1st of September, were adopted. He had omitted, himself, to take one out previous to that time.

Mr. *Paget* expressed a hope that the noble Lord would not add to the amount of the penalties in his Bill, or encumber it with unnecessary clauses.

The clause agreed to.

Upon the clause reserving existing rights of Lords of Manors, and others to preserve and pursue game,

Mr. *Goulburn* inquired, merely for information, what would be the situation of the Lord of a Manor under this Bill, if the tenant did not choose to permit him to sport over his lands? He apprehended that the tenant might arrest him immediately, and take him before a Justice of the Peace.

Lord *Althorp* replied, that the Bill would make no difference whatever in the present rights of Lords of Manors. No man could be arrested immediately under the Bill, unless he refused to quit the lands of another, after he was desired so to do, and Lords of Manors were left in the same situation as all other persons. No Lord of a Manor could shoot now over lands, except by permission of the owner, unless he had reserved the right.

Mr. *Hunt* had a great objection to this clause, not as it affected Lords of Manors, but as it affected the farmer. In existing leases, the landlord reserved the right of shooting over the lands for himself and his friends. Under this Bill, however, he was empowered to transfer the right to kill game to others who would make a market of it. Now the landlord, he conceived, might encourage game to an extent very injurious to the interest of his tenant, and as a new power was to be given to the landlord, to transfer to a third person the right to kill game, some corresponding protection should be given to the farmer. He ought not to be left liable to the caprice or cupidity of his landlord.

Lord *Althorp* admitted, that the law would empower the landlord to transfer his rights to a third person, and that he might insist on the preservation of game to an extent injurious to the tenant; but to suffer this was much less unjust

than to deprive the landlord of the power of preserving his own game, which was the only remedy. A landlord might take an unfair advantage during the continuance of an existing lease; but this was a much smaller evil than to deprive the landlord of the right he now possessed.

Mr. *Hunt* had not said it would be altogether proper to deprive the landlord of the power he possessed, and yet he thought some protection ought to be given to the farmer. Suppose the case of a long lease in which the landlord had reserved to himself the right of sporting. They were now about to enable him to dispose of this right to a third person, who might exercise it most injuriously to the tenant.

Mr. *Benett* could not perceive any weight in this objection. There was nothing in the clause to increase or diminish the rights of landlords. They could have nothing but what they covenanted for in the lease, and it would be unjust to deprive the landlords of their rights.

Mr. *Wason* was perfectly satisfied no practical grievance would arise. The landlord, and every person who had any title to the game, knew it was their interest to keep on good terms with the farmer. If they did not do this, there was but little chance of their finding much game.

Mr. *Goulburn* said, it appeared to him, that the remarks of the hon. member for Preston had some force, which the hon. Gentleman who spoke last did not understand. He had said, while the game was not saleable, the landlord only preserved it for amusement; but as this Bill authorised the sale, it enabled landlords to transfer their interest, and gave persons a power to preserve game, who would do so for the purposes of making money by selling it.

Sir *Charles Burrell* was of opinion, that the objection taken by the hon. member for Preston deserved consideration. At present, in the great majority of cases, game was preserved for amusement only, and was often distributed among neighbours and tenants. When this was the case, the farmer would not feel severely annoyed at the game being preserved; but if the game was preserved for the purpose of sale, or for exclusive enjoyment, it would necessarily be more offensive to the farmer, and likely to be more hurtful to his interests.

Mr. *Hunt* said, he knew the farmers'

feelings, for he had felt the evil himself, and he had no doubt the measure would be offensive to that class of persons. This would not be the case as concerned respectable landlords, who were liberal with their game, but where it would be made available as property, and sold. If that were not to take place, what would be the use of the Bill? Suppose a Gentleman possessed inclosures where game had been preserved, and transferred them to others, who would make the most of them, by selling the game. But, suppose that, adjacent to the preserves where the game bred; there was a tract of cultivated land, the tenant of which had no means of preventing the increase of the game, and, in proportion as that took place, his crops would suffer; would not that be an injury to this tenant? He had often been called upon to value the damage done in similar cases, which he had known amount to from 3*l.* to 8*l.* per acre. He admitted it was difficult to protect the tenant in such circumstances, without interfering with the rights of the landlord; but the latter ought to be compelled to make some arrangement.

Lord *Milton* said, the only way by which this could be done would be, to compel landlords to make new leases, which was wholly out of the question.

Mr. *Hunt* said, the evil was plain, but he was not legislator enough to point out the remedy.

Lord *Althorp* said, whatever the force of the objection was, it did not apply to this particular clause. There was nothing in the clause which would permit the landlord to let his game, or gave him any peculiar authority.

Mr. *George Robinson* saw the objection of the hon. member for Preston, but he did not well see how it was to be got rid of. It was perfectly clear, that the operation of the clause would let in a very different class of game-preservers, who might, and probably would, use their power, without any regard to the interests of the farmer.

The *Attorney General* said, he never saw a lease drawn out yet, but there was contained in it a clause to the effect that the landlord could not devise the game.

Lord *Althorp* said, that he would give the objection every consideration.

Mr. *Benett* said, that he could discover nothing in the clause which gave the landlord any additional power. He believed

there was no practical evil to be apprehended, and the remedy suggested would aggravate, rather than lessen, the mischief anticipated from the operation of the Bill.

The Clause agreed to.

The Clause empowering Lords of Manors to appoint gamekeepers was then read; part of which went to authorise gamekeepers to take and seize all dogs, nets, and other engines and instruments for the killing and taking of game, except guns, used by a person not authorised to kill game.

Colonel *Sibthorp* wished to be informed why guns were excepted.

Lord *Althorp* said, the exception was introduced, in the hope of preventing those sanguinary encounters which had so often taken place between gamekeepers and poachers, by the former endeavouring to deprive the latter of their guns.

Sir *Matthew White Ridley* would most earnestly recommend, that the words "except guns" should be omitted. He was very much afraid, the clause, as it stood, would induce poachers to carry arms, and his noble friend's humane attempt to prevent bloodshed would only lead to regular battles.

Mr. *Hunt* was sure, the words were introduced with the very best intention, that of preventing those fatal conflicts which had so often taken place; and, perhaps, taking the Act as intended for an ameliorating Statute, it would be better, on that account, they should remain where they were.

Sir *Matthew White Ridley* was quite satisfied, the effect of their remaining would be, to encourage the poacher to take this weapon in his hand; and as he could more effectually destroy game by it than by any other instrument, leaving the words would undoubtedly encourage poaching.

The Marquis of *Chandos* considered, that guns ought, by no means, to be excepted. It was well known, that air-guns were frequently used by poachers; and by the words of this Bill, no gamekeeper would be authorised to seize an air-gun, if he should see it in the hands of the poacher.

Lord *Althorp* would agree to leave out the words "except guns."

The amended Clause agreed to.

On the Clause being read, "that no tenant possessing land under the annual value of 300*l.*, (such land being together, or only separated by some road or water) should be permitted to appoint a gamekeeper for the preservation of game,"

Mr. *Ridley Colborne* thought, the value of land was the worst criterion they could select, because inferior sorts of land often had more game than the best. It ought wholly to be left to the proprietors of land whether they would appoint gamekeepers or not.

Colonel *Sibthorp* had great objections to this clause, because small landholders being permitted to appoint gamekeepers, would most likely establish a nursery of poachers, who would be well acquainted with the places which were the favourite resorts of game. The words "some road or some water" were also very indefinite.

The Marquis of *Chandos* suggested, that it would be better that the resolution be confined to 300 acres, in preference to a yearly rental of 300*l.*

Lord *Althorp* had no objection to change the 300*l.* to 300 acres. As to the words "some road or water," which had been objected to, it was quite necessary some limitation to the appointment of gamekeepers should be placed; and it would be absurd to prevent a man who had 300 acres, nearly equally divided by a road or a stream, from appointing a gamekeeper.

Mr. *Benett* thought the clause unjust, as it took away a privilege from a person with a small estate, and conferred it on one who had a large property. Suppose a person possessing 250 acres of land was, from some cause, unable to sport, under this clause he would be prevented from appointing a gamekeeper, and lose the use and enjoyment of his game. In point of principle, a man with ever so small a quantity of land ought to have the same privileges or authority as the man with a large estate. This might be found inconvenient in practice, but the qualification of 300 acres was a great deal too large.

Lord *Althorp* said, the clause did not prevent a person who owned a single acre of land from killing game. It merely deprived him of the power of appointing a gamekeeper, and transferring his authority to another. As the clause now stood, no person owning less than 300 acres could delegate his authority to a gamekeeper, a person to whom, for the purposes of this Act, some authority was given.

An *Hon. Member* thought, the right should be granted, leaving the use of it to the option of the individual. They were about to make an invidious distinction between large and small proprietors, when no distinction ought to be made.

Mr. *Benett* had no other object than to make game cheap, and prevent poaching.

Mr. *Hunt* said, poaching would increase in proportion to the quantity of game. Diminish the number of preserves, and poaching would be stopped in a great degree. When game was generally distributed through the country, poaching was not so common, or game so easily taken. There ought to be some restriction to the appointment of keepers, and a tax might be raised upon them: He thought, an estate of 300 acres sufficiently small to authorise the proprietor to appoint such persons. The clause, if carried into effect, would increase game, and, consequently, increase the number of poachers.

Lord *Milton* objected to the clause entirely, because it would put the right of preserving game on a new footing, which would be injurious to the morals and feelings of the people. It would not be beneficial to have the land infested with gamekeepers. In many places, manors had become obsolete, and how were such persons to be appointed in those districts? No legislation would put down poaching while game increased. He did not see how they could form any general and satisfactory rule for regulating such appointments. He doubted whether the principle of making game property was a good one; but, although he disapproved of this clause, the Bill in general had his hearty concurrence.

Mr. *Moreton* would not enter into the questions of morals and poaching, raised by the noble Lord, but simply rose to declare his opinion, that a man with fifty acres had just the same right, in principle, to appoint a gamekeeper, as a man with 5,000 acres, and he wholly disapproved of any distinctions being made.

Mr. *Hunt* said, if every proprietor was allowed to appoint keepers, gun-making would be a thriving trade. Farmers would never become game-preservers, as game could not be bred in confined places; or so cheaply as poultry. It was in its nature to roam at large, and it cost as much to breed and feed a hare as a sheep. If the right to appoint gamekeepers was extended, the land would be overrun with them.

Lord *Althorp* thought some limit was necessary, and the amount of acres proposed was so reasonable, that he did not anticipate any evil from it. Certainly, no man in his senses, with less than 300 acres, would appoint keepers.

Mr. *Benett* said, a license-duty of half a guinea would be a sufficient protection on the appointment of keepers. They must take care to prevent the London dealers from keeping game for their own purposes.

Lord *Milton* was sure, if his hon. friend the member for Wiltshire, wished to give a receipt for the encouragement of poachers, he could have no better one than the present clause as it stood. He thought it an improper mode of legislation to give to men possessing the quantity of land named (not being a manor), the power of appointing a substitute to kill game, in the same way as was now permitted to the lord of the manor.

Mr. *Curteis* thought, every man had a right to appoint his own gamekeeper, or do what he liked with his own; and he therefore put it to the hon. member for Preston, if he desired to have this right limited?

Mr. *Hunt* said, that he was endeavouring to make the best of the Bill, by bringing what little practical information he possessed to bear on it. He was not averse from gamekeepers, as had been supposed, but he would again declare there never would be an end of poaching so long as there were game preserves and gamekeepers. He wished to see the Bill made as serviceable as possible, but he did not anticipate such benefits from it as other hon. Gentlemen. He wished to see the farmer made the natural protector of the game produced on his ground. It was hopeless to believe that those conflicts would cease, which took place between the poacher and gamekeeper, so long as the present laws were permitted to remain on the Statute-book.

Mr. *Briscoe* considered it but reasonable that a man possessing 300 acres of land, should have the same power over his land to appoint a substitute as the lord of the manor enjoyed. He had never considered poaching as a great crime, and entertained objections to the whole principle of the Game-laws, but he wished to have the power of appointing a substitute to kill game, if he was unable to do so himself.

Lord *Althorp* said, the object of the clause was, to enable the proprietor of small property to appoint a substitute to kill his game, and he saw nothing unreasonable in that proposition. He believed, that his noble friend was mistaken as to the effect

of the clause, for it would not encourage poaching, but tend to supply the market legally, as the dealers would prefer obtaining it by legal means to their present method.

Lord *Milton* thought the effect of this Bill, like most others of late date, relating to landed property, would be, to take from the rights of the lords of the manor, under the pretence that they had become obsolete, and substitute for them those of the proprietor. The question before them was, whether it was advisable to transfer the rights of the former to persons owning 300 acres of land. It would, in his opinion, be more desirable that this right should remain as it was before. The whole effect of the clause would be most injurious, and he should, therefore, persevere in his opposition to it.

Mr. *Maberly* could not coincide with the noble Lord who had just addressed the Committee. The noble Lord's doctrine was, not to give persons possessing 300 acres of land those rights with regard to game which the manorial owner had. He thought the clause perfectly free from objection, and he saw no reason why the owner of 100 acres, or even fifty acres, should not be entitled, on principle, to a similar privilege, although probably the limit that had been set was fair and proper.

Mr. *Sanford* said, that the powers of gamekeepers were already very extensive, and he should object to the appointment of gamekeepers upon small property, in the way prescribed by the clause.

Mr. *Hunt* was still of opinion, that the clause was highly objectionable. The noble Lord complained of a man being endowed with manorial rights who only possessed 300 acres of land now he did not so much object to that as to give him the power to appoint gamekeepers to seize guns, dogs, nets, &c. Such a power would be the means of causing thousands of people to kill game, who might be much more usefully employed.

Mr. *Maberly* was well aware that great objections existed to the appointment of game-keepers, but it was impossible to preserve game, unless authority was confined to some individual.

Mr. *Western* did not wish to extend the powers of game-keepers. The object of the Bill was to afford all classes equal protection, and to abolish some of the obnoxious regulations which at present pervaded the whole system. He thought that

the owner of 200 or 300 acres of land ought to be protected from trespass, but he would not invest him with the power of seizing dogs, guns, or nets.

Lord *Milton* said, his objection was not confined to the taking away from the lord of the manor the right he now enjoyed, but it also extended to the appointment of gamekeepers and the extension of the operation of the Game-laws, over tracts of land, where rights derived from them were now obsolete. There was another point of view in which the case ought to be considered. They knew how much ill-will and jealousy existed with respect to game, even among the higher ranks, and on that account, any legislative measure which had for its object the preservation of game should respect the rights of large proprietors. If such rights were much extended, that would probably tend to destroy the good feeling which prevailed among the middle classes, and engender the same heart-burnings and ill-will as now existed in those above them. Suppose, for example, five individuals had 1,500 acres of land lying together; those persons would most likely be set completely at variance by the power given by this clause.

Lord *Althorp* said, that the clause was more likely to prevent than cause ill-will, but he would not press it.

Question negatived.

On the clause authorizing Magistrates at Quarter Sessions to license dealers in Game,

Sir *Charles Burrell* begged to suggest the propriety of inserting a clause to prevent licensed victuallers, and retail dealers in beer, from selling game, as he feared, if they had that privilege, it would tend to promote disorder on their premises.

Lord *Althorp* could not conceive that granting licenses to beer-shops would make them more disorderly than they were at present. His opinion was, that it would have quite a contrary effect because granting the license, was wholly at the discretion of the Magistrates, and it would always be in their power to take away the advantage, the beer-seller might derive from it. The Magistrates therefore would have a stronger hold over this class of persons than they at present possessed. The magistrates no doubt, would take care that licenses should only be granted to proper persons, whose interest it would be to prevent poaching as far possible.

Lord *John Beresford* regretted that he differed from the noble Lord, for he conceived if licenses were granted at all, giving them to beer-sellers would be a most mischievous proceeding. He was also quite satisfied from experience, that much discontent would be excited, and much odium cast upon the Magistrates, in consequence of this discretionary power of licensing.

Mr. *Hunt* would grant no licenses at all, or at least not leave them to the discretion of the Magistrates. First, they granted licenses for persons to preserve game, second they licensed persons to kill it, and now thirdly, they would license persons to sell it. There was no possible occasion for all these complicated proceedings. If there was any class of persons to whom licenses ought not to be granted, except them at once. The consequence of allowing the Magistrates to issue licenses would be, there would be no uniform principle followed. In one place, one class of persons would be excluded, and in another, the same class would have licenses. The Magistrates would have a most difficult and responsible duty to perform, which would subject them to great odium, as had been observed by the noble Lord who spoke last.

Mr. *Western* had great objections to allowing the keepers of beer-houses to have licenses, and still stronger objections to allow uncontrolled power to Magistrates to license whom they pleased to sell game.

Sir *Thomas Fremantle* said, that he also had great objections to vesting this power in Magistrates. It would be better, if possible, to prevent them from interfering, but the changes now proposed were such as would not have been listened to two or three years ago. The House, on this account, was bound to provide the greatest possible safe-guards, and they must give the Magistrates some authority, although they should endeavour, by all means, to prevent their using it capriciously, or give a license to a person to sell game one day, who the next might take out a license to sell beer. A strong temptation to take game unlawfully, would exist when a man could run up a score at a beer-shop, and pay it with game. The great object ought to be, to make it the interest of the persons licensed to sell game, to obtain game from lawful sources. And the best security for this would be, to except such persons as beer-sellers from

the privilege. Another class of persons also whom he wished to have excepted, was, coachmen, guards, and drivers of vans; he should therefore propose, that words be inserted in the clause to exclude from licenses all inns, and tavern-keepers, victuallers, coachmen, guards, drivers of caravans and such conveyances, and all higglers or any one in the employment of such persons.

Lord *Althorp* said, the object of the machinery of the Bill was, to make the law less objectionable. He disliked the whole of it, and hoped to see the day when they could dispense with such precautions; but as many gentlemen felt alarmed at the change proposed, he felt disposed to introduce all the safe-guards they wished for. He had, therefore no objection to exclude coachmen and guards, but he thought the other provisions of the Bill would render this change unnecessary, as all these persons would be capable of selling only at their own houses; the dealers might travel about to purchase it, but could only sell it at home. There were penalties for licensed dealers purchasing from any person who had not a license to kill, and for the licensed game-killer selling game to an unlicensed dealer. He therefore saw no necessity for this amendment. At present coachmen dealt with poachers, because the law as it at present stood, prevented them from obtaining game from other persons; to exclude them from dealing legally was to tempt them to evade or break the law.

Mr. *Charles Ross* said, it was because higglers and such persons would be able to collect game illegally obtained, which they might afterwards dispose of legally, that it was proposed to except them. They might travel about, and collect game from the poachers, and sell it only at their own residence, according to law.

An *Hon. Member* begged to suggest the propriety of persons requiring licenses giving security to the amount of 25*l.*, to comply with the terms of the Act.

Mr. *Benett* preferred prohibiting beer-shops altogether, and that as little discretion as possible should be intrusted to Magistrates. The line they were to go upon, should be plainly chalked out. He knew many gentlemen who were deterred from acting as Magistrates, on account of the obloquy they were exposed to, by the discretionary powers invested in them.

Mr. *Stuart Wortley* said, coachmen,

guards, and such persons, who were constantly travelling through the country, would easily form connexions, and furnish supplies to the dealers. If the object, therefore, was to encourage legal dealers, such illegal dealers as these ought to be checked. The House ought, if possible, to make it the legal dealer's interest to obtain his supplies from the game-owner directly, but the latter would be supplanted, if persons constantly travelling through the country, and with great facilities to form connexions, were allowed to obtain game from poachers. He therefore approved of the amendment, although he was not very sanguine in his expectations that the Bill would prevent poaching.

Mr. *Warburton* had come to a different conclusion. *Hon. Gentlemen* seemed to consider that guards and coachmen derived a facility for carrying on this trade with poachers. If those parties, therefore, were deprived of the power of dealing legally, the Bill would be a dead letter. The same method of reasoning applied to publicans and victuallers. The argument was, they would exchange game for beer; would any Gentleman prevent a green-grocer having a beer-shop, because his gardener might barter some of his produce for beer?

An *Hon. Member* thought it was necessary for guards, coachmen, and others in similar circumstances, to have licenses, or how could the game be brought to market?

Mr. *Hunt* said, he could see no reason why persons requiring game licenses could not obtain them from the Excise Office, as well as beer licenses. He knew the difficulty of objecting to power being placed in the hands of Magistrates, in an assembly chiefly composed of such persons. He knew, also, that they were not in general fond of beer-shops, and feared they would be receptacles for poachers; but in France, where half the houses were licensed to sell liquors, there were no masses of people collected, nor any drunkenness, and game was double the price at Paris, to what it was at Leadenhall. Game was scarce in France; there were no preserves there, which proved, that making game private property would not preserve it. The farmers preferred corn to game. It did not look well that Magistrates who were landlords, and game-preservers, should also have the absolute power to license those who were to sell and retail it. He hoped the noble Lord would find some method to avoid

throwing this responsibility upon them, and would find other means to prevent poaching.

Mr. *Paget* hoped that granting the license would be made imperative, for if a respectable housekeeper applied for a license, it ought not to be refused.

Lord *Althorp* would accede to the proposition of the hon. Baronet.

Amendment agreed to.

On the clause being read, inflicting a penalty on persons killing game without a certificate, and the question put, that the blank be filled up with *5l.*,

Colonel *Sibthorp* thought, that a repetition of crime should cause an increase of punishment. Instead, therefore, of three months' imprisonment for a third offence, he would propose six months, and for a fourth, seven years' transportation.

Lord *Althorp* thought, that as an unqualified person was liable to a penalty for being without a license, as well as to an action of trespass, that the addition of any further punishment would be disproportioned to the offence.

Mr. *Warburton* thought the punishments in the clause too severe, and if any one would propose their omission, he would second him.

Mr. *Hunt* said, that he would propose the omission.

The clause agreed to.

On the clause proposing a penalty of *5l.* on any person buying game, except of a licensed dealer, being put,

Mr. *Briscoe* said, they had just imposed, in a preceding clause, a penalty of *40s.* only on any except licensed persons selling game, and he thought, no higher penalty should be imposed on the purchaser, than on the seller.

Lord *Althorp* said, purchasers must commit this offence with their eyes open, and would wilfully attempt to violate the law; for a licensed dealer could only sell game at his own residence, having a sign on the front of his house, to show that he was a licensed dealer.

Mr. *Goulburn* said, this clause appeared to prevent a gentleman or other person having a right to kill game, from selling it. If purchasers could obtain their game only from licensed dealers, no others could sell it.

Mr. *Benett* observed, any person having a certificate might sell game.

Mr. *Hunt* thought, it was unworthy an English gentleman to sell his game.

Mr. *Warburton* said, that Magistrates were to have the power of determining the number of houses to be licensed to sell game, which would give the dealers a kind of monopoly, and enhance the price. He therefore thought some regulations as to the maximum price to be charged, as in the case of fares of coaches and boats, should be introduced into the Bill.

The clause agreed to.

Mr. *John Stanley* proposed that "rabbits, woodcocks, snipes, quails, landrails, and conies, should be introduced into the clause, and be considered in all respects as game."

Colonel *Sibthorp* wished the landrail to be omitted, as the pursuit of this bird was often permitted to persons not otherwise authorized to kill game.

Mr. *Hunt* thought the hon. Member must be mistaken, and meant the water-rail, not the landrail, which was more like game than several other species which were included.

Mr. *Curteis* agreed with the hon. member for Preston.

Motion agreed to.

On the clause being read, imposing a penalty of *40s.* on a person trespassing in pursuit of game,

Lord *Newark* said, this penalty would not be sufficient to deter a man from sporting on other people's grounds. He might destroy more game than would pay the penalty, and still leave him a handsome profit, unless he was also compelled to forfeit the game.

Lord *Althorp* said, other clauses would prevent the evil apprehended by the noble Lord.

Mr. *Paget* was surprised that rabbits had been considered as game. They were very mischievous little animals, and ought not to be taken under the protection of the Legislature.

Lord *Althorp* thought, if they had not been introduced into the clause, many persons would destroy game, under the pretence of taking rabbits. If they were pernicious, the owner of the land could destroy them.

Mr. *Farrand* was much afraid property could not be secured, unless a larger penalty was allotted for trespassing. He had been a Magistrate for several years, and knowing the evils of the present system of Game-laws, he had been anxious to correct them, and he feared that this Bill would not accomplish that object.

Lord *Althorp* said, the clause certainly increased the security, for at present there was no penalty for trespassing.

Mr. *Goulburn* thought it was fair and right, that a trespasser having game in his possession, should be deprived of it.

Lord *Newark* wished, that a penalty of so much per head on the game found in the possession of a trespasser, should be imposed. He should be ready to assent to any proposal to prevent such a person killing game, selling it, and by the produce paying the penalty.

Colonel *Sibthorp* would be very happy to join in any such amendment.

Mr. *John Stanley* thought 40s. as good as 5*l.* in this case, for excessive penalties were seldom levied, and on that account were useless.

Mr. *Goulburn* said, if the violator of the law, could make a profit after paying the penalty, the object of the clause would be wholly defeated. He remained, therefore, of opinion, that the trespasser ought to be deprived of the game he had taken. He fully agreed in the opinion, that excessive penalties were bad, but they most assuredly ought to be sufficient to cause some punishment to the offender, instead of a chance of profit.

Lord *Althorp* said, if a man was to be deprived of the game found upon him, any gentleman who, in the ardour of pursuit, had followed his game into an adjacent field, where he might not be strictly authorized to go, would also be subject to the same deprivation.

Mr. *Hunt* said, the penalty to be exacted should bear some proportion to the market price of the game at the time the offence was committed.

Lord *Ebrington* was also of this opinion, that the penalty should be judged by the value of the game found in the possession of the trespasser.

Mr. *Stuart Wortley* knew many poachers who, he believed, with the chances of frequent escape, afforded by the nature of the business, would, though detected occasionally, be able to pay the proposed penalty, and get a handsome living into the bargain.

Mr. *Briscoe* would substitute the words "if found in possession of game," and make the penalty for that offence 5*l.*, but for trespassing without having game in possession, the penalty should be 40s.

Mr. *Gisborne* said, if they were to do that, they must first define who was to be

considered a trespasser, and there must be authority given to make him declare his name and residence, otherwise, there would be no possibility of recovering the penalty unless he was followed until he was housed or could be discovered by other means.

Lord *George Bentinck* said, it was provided by another clause, that an uncertified person was liable to a penalty of 5*l.* for every head of game in his possession.

Clause agreed to.

On a clause being proposed, which imposed a penalty of 5*l.* on trespassers not quitting the land when required, and authorizing them to be arrested by the party so requiring, on their refusal to give their real names and address,

Mr. *Hunt* said, that the clause was open to very great objections. How could the challenger know whether he received a correct name and address? besides, it was a dangerous power to be given to game-keepers or others, to authorize them to arrest men with guns in their hands. Even though they refused to declare who and what they were, the power of arrest ought not to be exercised without a warrant, except by a Constable, and delegating that power to interested persons would lead to bloodshed.

Lord *Althorp* did not see by what other means, except by the power of arrest, they could give adequate protection to property. A man entered the land of another, received notice to quit, refused, and declined giving his name and address. There was, therefore, no other way but personal coercion to prevent this.

Mr. *Hunt* said, there was undoubtedly great difficulty, but still it would be very hard upon honourable men to be arrested by such persons as were likely to have this authority delegated to them.

Mr. *Ponsonby* said, a gentleman and man of honour would not trespass knowingly, and if he had done so inadvertently, would never decline giving his name and address.

Mr. *Benett* thought, it would be better not to give the power of arrest. The game-keeper might follow the trespassers, and ascertain by that means who they were.

Clause agreed to.

On the proviso being read, exempting persons hunting or coursing with hounds or greyhounds, from the provisions against trespassers,

Mr. *Gillon* considered this very objectionable, and likely to lead to great abuses.

Mr. *Stuart Wortley* said, no man who was fox-hunting, could be said to be in pursuit of game.

Mr. *Hunt* said, it would be justly asserted, if the proviso was agreed to, that a set of fox-hunters and land-owners exempted themselves from the chances of punishment to which they subjected men in a lower station of life; a man who could afford to ride a horse at a fox-hunt, would be authorized to trespass on any other man's land.

Lord *Althorp* said, it would be hard to impose a penalty on a man for being on another's land, when he might not know where he was.

An *Hon. Member* thought, penalties for this trespass, as well as any other, ought to be applied, or they would have people, in towns and manufacturing places, not possessing a foot of land, keep hounds, and hunt; and such people would course over their neighbours' lands at their good pleasure.

Lord *Althorp* said, an action for trespass would lie against persons so offending.

Lord *Morpeth* would prefer the clause as it stood at present, for then they would not see a labourer punished for joining a hunting party, as had been done.

Mr. *Hunt* had himself been punished in that way, and did not forget it. He admired fox-hunting as much as any man, but this was making one law for the rich and another for the poor. A man who could only afford to walk and carry a gun, was subject to 5*l.* penalty for sporting on his neighbour's land; but another, who could afford to keep a horse, and hunt, was exempted, under similar circumstances, from any penalty whatever, although the damage likely to be done by the latter, from breaking down hedges, was much greater.

Lord *Althorp* said, the existing Game-laws made distinctions between people having certain incomes and those with less, but the punishment for trespass given by this Bill might be enforced against all men, of whatever degree. It could not, therefore, be said justly, that it made one law for the poor and another for the rich. The enactment of the clause was, "that the provisions against trespassers shall not extend to any person hunting or coursing, with hounds or greyhounds," no

matter whether he followed them on horseback, or on foot. He looked upon this clause as intended for the benefit of the poorer classes, for any man accustomed to field sports knew very well, that many persons were in the habit of following hounds on foot; had the clause been confined to people on horseback, it would have effectually prevented the poor man from enjoying the sport. He, therefore, put it to the House, whether the hon. member for Preston's objection was borne out.

Mr. *Stuart Wortley* was convinced, from the hon. member for Preston's observation, that he had no other knowledge of hunting than that he had acquired in the West of England. Had he ever hunted in other divisions of the country, he would have formed a different opinion.

Lord *Morpeth* agreed, that the hon. member for Preston's objections were not applicable to this clause.

Colonel *Sibthorp* would declare, the clause was perfectly useless, so far as the county of Lincoln was concerned. No farmers there would object to persons hunting over their land.

Mr. *Hunt* had not heard one word to alter his opinion, which was, that the present measure would press with greater force on the poor man than any previous law had done, and he was not wholly ignorant of the enactments of the former laws.

Mr. *Maberly* believed, the hon. member for Preston did not consider the difference between hunting and shooting, and on that account his argument was not sound. He should prefer the continuance of the common-law on the points of trespass; by that, the trespasser must be warned off before the penalty could be inflicted. By the Bill before them, the summary process adopted would annihilate hunting altogether.

Clause agreed to.

On its being proposed "that the Justice or Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act, together with costs, may adjudge that such person shall pay the same, either immediately, or within such period as the said Justices shall think fit, and that, in default of payment at the time appointed, such person shall be imprisoned in the common gaol, or house of correction (with or without hard

labour) as to the Justice or Justices shall seem meet, for any term not exceeding two calendar months, where the amount to be paid, exclusive of costs, shall not exceed 5*l.*, or for any term not exceeding three calendar months in any other case, the imprisonment to cease upon payment of the amount and costs."

Mr. *Hunt* felt it necessary, earnestly to appeal to the Committee, if the penalties in this clause were not too severe. As to the amount of the fine, the infliction of hard labour, and the term of imprisonment, the present measure was quite as severe as any of the previous laws. If he had been wrong in declaring the last clause pressed unequally upon the poor man, he did not labour under a similar error when he characterized this as containing one law for the rich and another for the poor.

Lord *Althorp* could not see the justice of the remark: the penalty and term of imprisonment were the same to all, if payment was refused: how, then, could it act to the advantage of the wealthy?

Mr. *Hunt* said, in this way, the rich man would have the amount of the penalty in his purse, and would thereby avoid the imprisonment, but 5*l.* was of so much importance to the poor man, even if he had it, that he would prefer going to prison rather than pay it.

An *Hon. Member* considered the penalty of hard labour too severe; it ought to be omitted.

Mr. *Hunt* would feel great pleasure in seconding any motion for its omission.

Mr. *Hughes Hughes* suggested, that the penalty of hard labour be left to the discretion of the Magistrates.

Mr. *Hunt*: Then God help the poor man who should be so unfortunate as to be placed at the discretion of game-preserving Magistrates.

Clause agreed to.

On the Clause being proposed, affixing the penalties of four months, eight months, and two years imprisonment, with hard labour, to the first, second, and third offences of night-poaching with arms,

An *Hon. Member* did not think the description of arms which would bring the person within the meaning of this Clause sufficiently defined, and this was a matter of so much importance, that it ought to be provided for by a separate clause.

Mr. *Stuart Wortley* thought, they ought to be very cautious in decreasing the punishment attached to night poaching. By

the former law, which was certainly more severe, and yet was found to work well, the offender, in addition to four months imprisonment and hard labour, was required, at the expiration of his imprisonment, to give security for good behaviour, and, in default of that, was liable to further incarceration. The object was, to prevent the culprit's recurring to his old habits and connexions. In the generality of cases, the offenders were young men, prompted by older persons. By requiring security on the expiration of imprisonment, such persons were often deterred from returning to their former practices, from the fear of compromising their securities. He would, therefore, suggest the propriety of inserting a similar provision in the Clause now before them.

Mr. *Hunt* took a totally different view of the Clause. He thought its enactments too severe; and, therefore, intended to propose milder punishments. He did not remember the precise words of the old Act, but he knew that, in substance, it was not so harsh as the present. By the Bill now before them, for the first offence four months imprisonment was awarded for all poachers with or without arms; the punishment in the old bill was only five months. For the second offence, this Bill ordered imprisonment for eight months, and hard labour. In the old bill the imprisonment was but six months, without hard labour. For the third offence, the present measure enacted two years imprisonment; the former Act inflicted only one. The punishments, by the former bill, were more severe than necessary, and he could by no means agree with the present proposed enactments; and he, therefore, begged leave to move as an Amendment, "That two months, four months, and one year be the punishments."

Sir *Thomas Fremantle* considered the strongest measures ought to be taken to prevent the class of offences described in this Clause. The quantum of punishment proposed did not seem to him sufficient to effect that object. Coercive measures of a strong character were necessary to put down poaching, as was proved by the result of a bill which passed this House about three years since, by which the punishment for such offences was much increased, for, within two years afterwards, the number of offences rapidly diminished. He was desirous that the present measure should be carried a little further.

An *Hon. Member* was of opinion, that the man who deliberately entered grounds by night, for the purpose of poaching, could not be too severely punished; severity alone could repress such offences. He, therefore, entertained the same opinions as the hon. Baronet, and thought two years imprisonment for a third offence of such enormity as night-poaching, much too insignificant.

Mr. Hunt said, the hon. Gentleman who spoke last, had described two years imprisonment as an insignificant punishment. That hon. Member had never experienced an incarceration for half that time, or he would not have so described it. He still maintained, that half the punishment the noble Lord proposed to inflict was quite enough.

Mr. Briscoe considered a punishment of two years imprisonment, with hard labour, an exceedingly severe enactment, which would be likely to produce great physical injury to the unhappy man subject to it, independent of the consideration, that a man, being excluded from the society of his family for such a period, became estranged from them and they from him. He was thrown upon the parish for support, while he had contracted idle and dissolute habits by constantly associating with the class of persons usually found in prisons, and whom no system of discipline could reform. From these considerations he was convinced, and was desirous of expressing that conviction to the noble Lord, that transportation for the third or fourth offence, or for any offence accompanied with personal violence, would be preferable to imprisonment for long periods. He would propose three months imprisonment for the first offence, six for the second, and for the third, or for any of them, accompanied by personal violence, transportation.

Lord Althorp had strong objections to the infliction of transportation for the ordinary offences under this Bill, although that punishment might be justly due to offences accompanied with personal violence, at the discretion of the Court, and a clause to that effect should be introduced.

Mr. Hunt perfectly concurred in what had been said, as to the impolicy of long imprisonments.

Mr. Stuart Wortley said, there was so much difference in the character of the offence of poaching by night or by day, that they should be subject to different

degrees of punishment. The character of an offence also would be very different if committed by one man in the day-time, or if committed by large numbers at night.

Clause agreed to, substituting one year for two years imprisonment.

Mr. Hunt hoped the noble Lord would make a difference in the punishment, when committed by a single person, to that committed by several poachers in company.

Lord Althorp would certainly take the subject into consideration, whether there ought not to be some difference, before the report was brought up.

House resumed. Chairman reported progress, and obtained leave to sit again.

DUCHESS OF KENT'S ANNUITY.] *Lord Althorp* moved the second reading of the Bill for making a further provision for the Duchess of Kent and her daughter, the Princess Victoria.

Mr. Hume expressed his regret, that he was not in the House when this grant was proposed, or he should have objected to it, and have been one of the minority. Ministers did not observe those principles of economy to which they were pledged; but by such votes as this they were bringing royalty into disrepute. He was ready to admit they had not done worse than those who went before them; but there was reason to hope they would not have followed so bad an example, but would rather have decreased than added to the burthens of the people. He was sure half the proposed sum of 10,000*l.* would have been sufficient, in addition to what the young Princess at present enjoyed, to enable the Duchess to educate and maintain her daughter in a suitable manner. The grant was one which would not satisfy the country. He would not enter further into the subject at present, but he did hope, when the Bill was in Committee, some clause would be introduced to declare how far this grant should be continued in case of the death of the Princess Victoria before the demise of the Crown, or before the decease of the Duchess of Kent. For this lady he had the highest respect, and thought she was entitled to a suitable provision; but he considered that this grant went beyond propriety, and was an extravagant application of the public money.

Sir Charles Forbes defended the grant, and said, his only objection was, that it was too little, and came too late. He remembered, when the provision was made

for her Royal Highness, among other members of the royal family, it was asked in the Committee, why the provision was so small, and Lord Castlereagh declared, that his royal highness, Prince Leopold, had taken upon himself the charge of making a provision for the education of his niece. He thought then, and continued to think now, that it was not creditable to the country, that the young Princess should have been left so long to be assisted by the bounty of her uncle.

Bill read a second time.

HOUSE OF LORDS,
Tuesday, August 9, 1831.

MINUTES.] Bills. Brought in; by the Duke of RICHMOND, to amend the Poor Laws. By Viscount MELBOURNE, to amend the Sale of Beer Act. Read a second time; Exchequer Bills. Read a third time; Court of Exchequer (Scotland).

Petitions presented. By the Earl of SELKIRK, from the West Lothian Agricultural Society; and from Freeholders, Commissioners of Supply, Justices of the Peace, and other Inhabitants of the county of Linlithgow, against the use of Molasses in Distilleries and Breweries. By the Duke of DEVONSHIRE, from the Citizens of Waterford, against a Tax upon Houses and Land, for the support of the Poor; and from the Inhabitants of Youghall, for a revision of the Penal Code; from the Catholic Inhabitants of the same place, Dungarvon, Clouppriest, Temple Michael, Killcockin, and Kilwatermoy, for an alteration of the Grants for Education in Ireland. By the Earl of RADNOR, from the Inhabitants of Kinsale, in favour of Reform, and for an alteration of their Franchise; and from the Inhabitants of Malrow, and Mechanics and others, composing the Trades Union of Perth, in favour of Reform. By Lord KING, from the Inhabitants of Great Shelford, for an alteration of the Tithe Laws. By Lord WYNFORD, from General Thornton, praying, that the Sovereign may be released from making a declaration against Transubstantiation.

EDINBURGH UNIVERSITY.] The Earl of Haddington presented a Petition from the *Senatus Academicus* of the University of Edinburgh, praying that a provision might be introduced into the Scotch Reform Bill, for giving the University the power to send a Member to represent it in Parliament. He would not enter at length into an examination of the merits of the subject of this petition, as an important discussion was expected to come on. He would only mention, that the petitioners stated, that they had observed with much interest the progress of the Reform measure; and that, as the right of voting was to be so much extended, they thought it but just that they should be represented, and trusted that their case would not be deemed unworthy of attention. They said, that it was not necessary for them to show the great utility of the Scottish Universities, since that was universally

acknowledged. The English Universities were represented, and the petitioners submitted, that it was highly expedient that there should be some Members in Parliament, whose peculiar duty it would be, to attend to the interests of the Scottish Universities and the Scottish Church. The Scottish Universities, although their constituency was different from that of the English Universities, had a constituent body, which was most useful, and well worthy of being represented. It was true, that the Law and the Church in Scotland offered no strong temptations to graduate, and that was the reason so few persons, comparatively, graduated at the Scottish Universities. He had been one of the Commissioners appointed to inquire into the state of these Universities; and he and the other Commissioners felt the utmost anxiety to render them as conducive as possible to the promotion of the interests of science and literature, and he was persuaded, that if the right of voting should be extended to the constituent body of the Scottish Universities, this would afford a strong inducement to the students to graduate. He would not say any thing further on this subject at present; but when the proper time came, and the Scottish Reform Bill came to that House, he would take the opportunity of showing at length, that it would be highly expedient to grant the prayer of the petition.

Lord Duncan fully concurred with the noble Earl in his view of the great utility of the Scottish Universities. But the constituency of the English and Scottish Universities were very different from each other, and he had some doubts as to the advantages to be derived from a compliance with the prayer of this petition. The noble Earl, as one of the University Commissioners, might be better able to form an accurate judgment on the subject than he was; but he was of opinion, that there were considerable objections to the granting of the prayer of this petition. He would, however, abstain from stating what occurred to him on that point at present, reserving to himself the privilege of discussing the matter at large at the proper time.

Petition laid on the Table.

BELGIC NEGOTIATIONS.] The Marquis of Londonderry having moved the Order of the Day, pursuant to notice, for an Address for papers relative to the late

negotiations respecting Belgium, spoke to the following effect :*—I do assure your Lordships most unfeignedly, that no individual can feel himself more inadequate than I do to claim your attention to the important subject, which I am most anxious to bring under your consideration. My early military habits and education, and my constant employment abroad, have not given me those opportunities which many of your Lordships so pre-eminently possess, of addressing this august assembly with effect and advantage ; and I would gladly have avoided the task I now reluctantly undertake, but that I have been, in some degree, pressed to call your attention to these affairs from two imperious considerations—first, by the mode in which the noble Earl at the head of his Majesty's Government has conducted himself towards me, when I solicited information at his hands ; and, secondly, from the recollection of the great and enlightened policy of a lamented relative of mine, whose memory is not only most dear to me, but is held deservedly dear, throughout Europe, by all great statesmen and diplomatists, that have considered his career. When, indeed, I reflect upon the situation in which Europe was left by Lord Castlereagh, particularly as it regarded the influence, control, and power of this country over the councils of the other Powers of the Continent—when I consider all which that wise Minister accomplished by his own calm and dispassionate judgment—with the feelings and sentiments, and general deportment of one, whose mind and character generally, throughout the whole of his intercourse with those with whom he had to transact the most arduous business, evinced a disposition most truly calculated to give his country a fair and honourable—a courteous and considerate—a spirited and courageous standing amongst the other nations of the world ; when I look back, I say, and reflect on all these considerations, and our then high and elevated position, and the splendid results which were brought about by my lamented brother and the great military genius of the noble Duke who now sits near me, it is impossible that I should not endeavour to attract your Lordships' attention, by begging you to draw the contrast between that glorious combination of political prudence and mi-

litary skill, and the deplorable condition in which our foreign relations throughout Europe are now placed, and especially at this crisis, as relating to our recent transactions in Belgium. Impelled, however, by my fraternal feelings, on the one hand, and deterred by my conscious inadequacy, on the other, I state again, that I should have hesitated to proceed, had I not been assured that I might rely upon the indulgence of your Lordships in the performance of the task I have undertaken. While I expect this indulgence from your Lordships, I frankly avow, that I expect no such courtesy and no such indulgence from the noble Earl opposite, or his colleagues—from the persons who treated my former questions upon this subject as unintelligible, and who congratulated me on the discovery of a "mare's nest," using that or some such vulgar unparliamentary phrase. These expressions, however becoming they may be, proceeding from the first orator—from the Cicero of the day—are not such as I have a right to expect to be applied to me in the discharge of my duty as a Member of this House. They may, perhaps, be repeated upon the present occasion, and reinforced as they may also be by those powers of sarcasm of which the noble and learned Lord on the Woolsack is so great a master—they may be thought sufficient to intimidate me from the performance of my duty. But there is a stubborn feeling, very natural to men who enjoy the consciousness of right, sufficient, I hope, to sustain me under these and still more severe inflictions ; and I will, therefore, proceed, without fear, to draw your Lordships' attention to the topics upon which I feel it my duty, at the present moment, to insist—I mean particularly as regards the notice of my motion, as to our Belgian negotiations. I certainly did hope, and am free to own, that when the noble Earl opposite came into power, I thought I should have been enabled to give him my humble support in the management of our foreign affairs, though I am perfectly aware how indifferent such support might have been to the noble Earl. I cherished this hope the more, from personal communications, not with the noble Earl, but with some of his private friends ; and when I remembered that the noble Earl, sitting on this side of the House, was, in common with myself, opposed to the foreign policy of the Canning Administration ; and when I reflected on his bitter opposition to the

* Reprinted from the corrected speech published by Rivingtons.

followers, of that statesman with whom he is now allied, I certainly thought that it would have been one of the chief objects kept in view by the noble Earl, to preserve Europe, as far as possible, in the state in which he found it, and to act in the spirit of the treaties of 1814 and 1815, instead of endeavouring at once to undermine and overthrow that structure which was created by a far abler architect than he is, and abler even than all those who surround him combined. But, if I did cherish this hope, I was very soon undeceived, and if, from the first examination of the course of events, any thing had been wanting to deceive me, it was supplied in the speech of the noble Earl, of the 24th of June, in which he completely threw off the mask. I took down the words of the noble Earl, and no more is necessary to convince me that he has altogether mistaken the interests of this country. The noble Earl spoke of the erroneous principles upon which the negotiations of 1814 and 1815 had been conducted as follows:—"My Lords, in my opinion, it was in those negotiations for the settlement of Europe at the close of the war—to which the noble Duke was a party—and in the erroneous principles on which they were carried on, that the seeds were laid of the existing distractions and changes which have taken place in some part or other of the Continent in every subsequent season, and the continuance of which, at this very time, forms a large portion of the difficulties wherewith we are now surrounded."* When I heard these words proceed from the noble Earl, I confess I did feel the greatest surprise, exhibiting, as they did, an utter want both of wisdom and of taste. They were unwise, because the principles of those negotiations had become the *code politique* of Europe, and upon those principles all the Powers were endeavouring to carry on the affairs of Europe: on the other hand, they were in bad taste, inasmuch as the same Ministers are now acting with the noble Lord in Downing-street who formerly gave their deliberate sanction to all the principles he thus gratuitously vituperated, as well as all the sovereigns of Europe, and all the statesmen and diplomatists. It was impolitic, therefore, on the part of the noble Earl thus to denounce those principles which have, for seventeen years, preserved the peace of Europe, and by which that

peace would still have been maintained, but for the unfortunate affairs of July last, which the noble Earl does not know how sufficiently to eulogise, but which, I told him then, would be the misery and curse of Europe, instead of its salvation, as he prophesied. I am at a loss to know how the noble Viscount (the Secretary for the Colonies) can sit quietly upon his seat, and hear the principles of 1814 and 1815 thus denounced. But the march of time and of events, and I suppose I must say of intellect, throw men into strange combinations. Still it is surprising, that the noble Viscount should not have said one word in vindication of the transactions in which he has himself been implicated; for though men change sides, and change parties, they are seldom entirely indifferent to the only successful and really great actions of their political career. I have said thus much, my Lords, in respect to the manner in which I have been obliged to intrude myself upon your notice. In consequence of the conduct of the noble Earl, I have felt myself compelled to advert to these transactions, and to state my opinions on them, with a view, not to vindicate those treaties, for, God knows, they do not require it, but to recall them, as having laid the foundation of a solid settlement of Europe, to your Lordships' recollection. But I beg the noble Earl to contrast his own opinion with what was the general opinion of the British nation, and of the British House of Commons at the period in question. The noble Earl, perhaps, forgets—but the memory of a brother is more tenacious—I remember well the proud day, when, on his return from abroad, the negotiator of these treaties was received with the general acclamations of a British House of Commons, and when men of all parties, and, without one individual exception, Tories, Whigs, and Canningites, stood up to receive him, and gave him that enthusiastic and long-continued cheering which his great and successful labours had so well earned. I wish the noble Earl may be equally fortunate with his precious Reform Bill, and I shall certainly not be the person, at the end of seventeen years, to disparage him or his efforts;—nor should I, if they prove unsuccessful, be the person disposed to bring forward an unkind philippic against the noble Earl, after seventeen years have passed over our heads, if I were to live so long. And

* Parl. Deb. Third Series, vol. iv. 307.

now, my Lords, I beg to introduce the direct subject of my motion to your consideration, by calling your attention to the state of affairs connected with Belgium. In order to make myself as clearly understood as possible, in a very complicated and tedious negotiation, consisting of many different periods, I propose classing my remarks in three separate divisions. First, as to the early part of the negotiations respecting Belgium, and particularly up to the period of my Lord Ponsonby's celebrated letter, and to his recall from Brussels, to which, by the bye, I on a former occasion ventured to beg your Lordships' attention, and which letter the noble Earl pretended to attempt to defend. This brings me to the end of the month of May. Secondly, I shall take the liberty to submit to your consideration the protocols which are laid on the Table, as to the demolition of the Belgian fortresses, and the king of France's most singular and extraordinary Speech; and thirdly, I shall conclude, by directing your Lordships' attention to the manifesto of the king of Holland, and the other considerations now arising from the invasion of the French troops, and the actual position of affairs. And, first, as to the negotiation which has, as your Lordships are aware, been carried on for eight or ten months past, I think no one will hesitate to refer to it, as a most perfect specimen of that beautiful system of non-intervention which the noble Earl professes. But I certainly think, and indeed I will undertake to prove, if the noble Earl will give me the papers, that there has never, in the same space of time, been so much intervention on the part of the British Government in the affairs of foreign Powers, and not only intervention, but intervention perpetually changing its object. First, intervention with the Dutch when they were agreed; next, intervention with the Belgians, and then intervention again with the Dutch, and then vacillation and infirmity of purpose unexampled. The Belgians first intended to elect for their future sovereign the Duke of Leuchtenburgh; but no, said France, that is impossible—he is much too nearly related to the Buonaparte family. Then they turned their thoughts to the Duc de Nemours; but no, said England, it is impossible that we can agree to that—he is the son of the king of the French. Then, last of all, it was contrived, that Prince Leopold should be

chosen, although how this came to pass I cannot divine, considering the great pains taken by noble Lords opposite to prevent his Royal Highness from going to Greece. The Prince was, in my opinion, the most unfit person that could have been selected; I cannot imagine the choice of a person more inconvenient in every possible shape, not only as to France, but also as to Holland, from old transactions of a personal kind with the present Prince of Orange, besides other current reports; and evident entanglements must, in my humble opinion, ultimately arise to England from this selection; and such also was the opinion of France, I believe, as to the ineligibility of Prince Leopold, that, until the noble Earl ultimately made certain concessions to that Power, Prince Talleyrand was by no means disposed to accede to the arrangement. Notwithstanding all opposition, it seems, however, that Prince Leopold was the person whom his Majesty's Government were determined to send to Belgium; although, at this time, great difficulties existed, as to the terms upon which the separation of Belgium from Holland was to be effected, agreeably to the 11th and 12th Protocols of the Conference, which treated of the basis and principle of separation, and of the debt, as well as of various other points, too multifarious to enter upon at present; but all of which demand particular discussion hereafter. In the outset of these negotiations, Holland appeared fixed in her determination not to accede to the proposed terms in the 11th and 12th Protocols—many of the arrangements being particularly hostile to her wishes and interests; but, at length, urged by the strongest desire for the preservation of peace, and especially to comply with the wishes of England and the Allies, she did, though very reluctantly, consent, and the agreement was concluded on her part. These terms were immediately declared by all the Powers in conference to be irrevocable, and the last article of the Protocol binds the Powers, in the most solemn manner, to cause them to be adopted; and my Lord Ponsonby returned to Brussels, to persuade the Belgians to agree to the conditions, so peremptorily and so irrevocably fixed. We then are elucidated by a document inserted in the newspapers, which, I have no doubt, all your Lordships have seen, with Lord Ponsonby's name attached to it. With every respect for

the private worth and respectability of that noble personage, I must take leave to say, that there never was a document of so extraordinary a nature presented to the diplomatic world. I apply myself particularly to this letter, because, from what fell from a noble Earl on a former occasion, that noble Earl seemed to think it was capable of a defence. I admit, that Lord Ponsonby had a right to press the Belgians to accept the propositions made, by using every argument he pleased in personal interviews with the parties. I will not go into a discussion upon the principle of non-interference now, denied at one moment, and used in the most extraordinary and outrageous manner at another; but I will say, that this document, published to the world as the production of the Congress, at this moment, was the most indiscreet and unadvisable paper ever promulgated. It appears to me to be a proceeding which baffles all attempt to understand. The very letter itself commences by an apology for its imperfections, and a great apology for its being written in the utmost haste. I will read the sentence I allude to: "Sir,—I arrived yesterday evening, and will not, even to do better, delay to communicate to you some idea of the state of your affairs as far as our Congress at London is interested in them. I therefore rely on your indulgence, which I hope will excuse the imperfections of a letter written in the greatest haste." This really reminds one very much of a letter from a young boarding-school girl, who invariably begins her epistle with—"I write in great haste;" or signs it, "Your's in haste." Now I put it to the House, whether it is decent or proper for a Minister, charged with communicating the great affairs of a Congress to a country, to be so precipitate as to write imperfectly, or in haste, when so much hangs upon his communications? This is neither diplomatic nor statesman-like; and I think it may be said, that there never was such a document published as connected with diplomacy; it being also one which goes forth to the public as the opinion of the assembled Congress, although it is not signed by the other individuals representing the several Powers engaged in the negotiation. A letter of this nature undoubtedly should have been most gravely considered. And what right, I would ask, had Lord Ponsonby to say anything on behalf of the

Conference? He should have gone to the Belgian Minister, and explained to him the disposition of the Powers. But when he publishes a document, as a British Minister, the noble Earl is obliged either to acknowledge or deny it. I will read another passage from this curious letter:—"Belgium is excited to have recourse to arms, and why? To retain Luxemburgh. But it may possess it in peace and security for a thousandth part of the price which an attempt to keep that country by force of arms would cost. Is it not imprudent to hesitate on the choice? Belgium desires to conquer Maestricht, the left bank of the Scheldt, and to take from Holland some other parts of its ancient possessions. Now that the policy of Europe is evident, even to the least enlightened mind, can it still be doubted, that Belgium is unable to obtain any one of these things by force of arms, unless it succeeds in conquering the armies of France, of Prussia, of Austria, and of England? Not an inch of Dutch territory will be left for Belgium, unless it has vanquished Europe, to say nothing of what it may lose of its own territory, if it should happen to be vanquished itself in such a contest. Can there be a better proof of the change which has taken place in the opinions and resolutions of the Congress? A week ago the Congress considered the preservation of the Duchy to the House of Nassau, if not as necessary, at least as extremely desirable; and at present it is inclined to a mediation, with the avowed intention of obtaining that Duchy for the sovereign of Belgium." Then the noble Earl determined to preserve the dominion of the House of Nassau. What did the Conference mean by the subsequent change? I will not go through the letter, which, I may safely say, is such a composition as I have never before read. What, I ask, was the cause of the change here alluded to? Whence arose the change from the 11th and 12th Protocols, adopted by the Conference? But really, I believe, that the noble Lord was not the composer of this letter. I cannot think so disparagingly of him as to believe it. I do not know whether it emanated from the noble Earl's Reform shop, but I know that such a composition was never before penned under such circumstances, and I challenge the noble Earl to say, whether he, or any one of the Plenipotentiaries of the Conference, will

adopt or authenticate the letter. I say this document has been productive of the greatest mischief in France itself, because I believe, that in that kingdom, the feeling produced was, that the British Government were leaning much more adversely to their interests in the negotiations, than they had up to that time believed, and consequently, the French Government found itself compelled to press upon the Conference the claims of Belgium; and I argue this from what has appeared in the French newspapers, stating as follows:—“The letter of Lord Ponsonby is an honest development of the most dishonest and deplorable system of policy ever yet known under any name, and by any form in Europe! It is worse than the system of the Holy Alliance; and, at the same time, it is fraudulent, jesuitical, insincere, and destructive of the rights of man, and the liberties of nations. If this system shall be acted upon in Europe, we have made no progress—the French Revolution has been an idle delusion, and British Reform will terminate in abortion. What! have the five Powers so soon forgotten the principles of their first Conferences, and the basis of their whole system of Protocols? Has it not been stated a thousand—and yet ten thousand times, by these Diplomats, and by their Representatives and Journals—has it not been stated by French Ministers, and by the French King—in fact, is it not the very foundation of all their counsels and recommendations, that the five Powers merely acted as friends, and not as opposing nations, and that both parties (Holland and Belgium) were to have the right of rejecting this advice, and having recourse to arms? Has not this been sounded in our ears over and over again, until, by dint of hearing, we began at last to believe it?” This, then, my Lords, was evidently the impression upon the public mind in France, which I have just stated; and with regard to these negotiations at this moment, my opinion undoubtedly is, that it would have been well for this country at this time, and for the intervening Powers, if they could not come to a decisive and amicable arrangement of the transactions—that Belgium and Holland should have been left to themselves, rather than have departed from the first irrevocable resolutions of the Powers. I will not, however, go further into the letter of my Lord Ponsonby, be-

cause that noble Lord is now withdrawn from the theatre of the negotiations; and, indeed, I understand that he has already displaced a noble and experienced friend of mine, whose merits in diplomatic zeal and ability have heretofore been universally approved of, by being rewarded by the *douceur* of the mission to Naples, and I hope this will cheer him for the loss of appointment and tarnished fame as a diplomatist at Brussels. I trust it will prove as acceptable to his Lordship as the Bishoprick of Derry is likely to do to his brother; and to give the noble Earl a vulgar phrase in return for that which he lavished on me the other day, I may say, that the noble Lord seems to be making hay while the sun shines, with appointments to relations and kindred. Now, my Lords, let us turn for a moment to the protocol relative to the demolition of the fortresses, which the noble Earl has laid on the Table. It seems that the conference relative to that subject was held on the 17th of April, and I should beg to ask, who it was, that instigated the subject so to be brought forward before the four Plenipotentiaries? At whose suggestion, I ask, was that Conference assembled? Is it possible that your Lordships can believe, that the four Powers would of themselves undertake to consider the question of the destruction of these fortresses, on the propriety of the erection of which they had so long and so often deliberated? Can you believe that, after my noble friend, the noble and illustrious Duke near me, had visited those fortresses year after year, both during their erection and since their completion, those Powers who had commissioned the noble Duke to pay those visits of inspection, and had voluntarily made immense sacrifices of money to establish them, would, of their own accord, have undertaken the task of deliberating on their demolition? Well, then, let me ask, did Belgium urge the four Powers to come to the consideration of this question? Did Holland urge them to it? or could England, whose blood had been spilled and treasure expended, the one in obtaining the glorious triumph which led to, and the other in the erection of these fortresses—could, I say, either or any one of these Powers press the consideration of this question? My Lords, it is impossible that either Belgium, Holland, or England, could have pressed such a consider-

ation on the four Powers as that of the demolition in question. Then we come to this, what Power was it that originated this proposition? Why, it was France, acting under the influence of Prince Talleyrand, from whom this proposition came. It is clear that Prince Talleyrand did not care whether Prince Leopold or any other Prince was king of Belgium, so long as he could have these fortresses razéed, in order that France might have the power of entering Belgium without even the possibility of meeting with a momentary interruption, on any crisis or emergency she thought proper. It is quite evident to me, that it was from France, and from France alone, that this proposition emanated. Your Lordships will not fail to see that Austria, Russia, and Prussia, came to the consideration of this question, as well as all others connected with general affairs at this moment—under circumstances of great and peculiar difficulty. We all know the state in which the Russians are, in consequence of the dreadful disease which is ravaging her armies in Poland, and that, in consequence, she had the greatest difficulties to encounter in bringing her forces at present into the field. Your Lordships also know, that owing to circumstances, which it is not necessary to enter into, Prussia and Austria are prevented from playing so high a card as they, no doubt, from their natural political interests, would wish at the present most alarming period. Under these circumstances, it was the bounden duty of the noble Lord, with reference to what is due to the pursuance of a sound policy in the affairs of Europe, to have shielded those Powers until such time as they may be enabled to place themselves in a position to act more as their inclinations and their interests would induce them to do. But how has the noble Earl shielded these Powers during the late negotiations? According to the arguments I have laid down—and I defy and call on the noble Earl, if he can, to gainsay them—we were pressed in April last by France, and at her instigation consented, to consider the propriety of the demolition of these fortresses. Now, I should like to know when the noble Earl first came to a decision on this point? The noble Earl says, in the month of April; but if such was the case, how did it happen that the result was not communicated to the French government until July, about eight or

ten days before the opening of the French Chambers? And why was it communicated then? Why, merely for the purpose of giving an *éclat* to the speech from the throne, which was to be delivered on the opening of those Chambers. Just before that event took place, a French gentleman, (I believe) the son of the French Prime Minister, came over here, and he urged the Foreign Office to communicate the determination which the Ministers of the four Powers had arrived at, to Prince Talleyrand, in order that the necessary communication might be made to the French government, so that it might appear like a great feat in the Speech which was then preparing for the king of the French. To show the singular mountebank mockery of this transaction, I will take the liberty of referring your Lordships to the difference of language which is to be found between the Protocol and the French King's Speech. Now, how does the case stand? Why the Protocol says, "In consequence of these deliberations, the Plenipotentiaries have finally decided, that as soon as a government shall exist in Belgium, recognised by the Powers taking part in the conferences of London, a negotiation shall be set on foot between the four Powers and that government." For the purpose of doing what, do your Lordships think; why, "for the purpose of selecting" only, such of the said fortresses as should be demolished. Now, look to the Speech of the king of the French, and really it reminds me so much of the gasconade and charlatanerie of Napoleon's famous edicts, that I think it must be drawn by some disciple of his school.—"The kingdom of the Low Countries, as constituted by the treaties of 1814 and 1815, has ceased to exist. The independence of Belgium, and her separation from Holland, have been acknowledged by the great Powers. The king of the Belgians will not form part of the German confederacy. The fortresses raised to menace France, and not to protect Belgium, will be demolished." Why, any man who heard this sentence would infer, that all the fortresses are to be demolished. I ask, therefore, whether there ever was so gross a misrepresentation, or any thing so unfounded, either in fact or in protocol? The fact, indeed, is, that the protocol is a complete contradiction to the Speech. Was it decent for the members of the Conference, I would ask your Lord-

ships, to permit such treachery and such extravagant misstatements upon a great and important transaction like this? No; it was the duty of those gentlemen to have demanded all necessary information from the French government, and the French Minister ought to have been called to account for his conduct. I declare that when I see such proceedings taken by France, and submitted to by the other Powers, and above all, by this country,—and when I view the course which has been pursued by Prince Talleyrand (whose ability and activity for his employers, in all situations he has been in, no one can appreciate better than myself), throughout these negotiations, I tremble for the position in which this country is placed. I see nothing offered in the way of explanation by the Representatives of the four Powers,—I see no remonstrance from England; but I see France overawing us all by the aid of her skilful and active politician here, and I fear that he has in his hands the power of decision, and exerts that, which I shall call a domineering influence, over such of the political arrangements of Europe as are carried on and decided upon in this country, which formerly were always directed by the wisdom and genius of England. But, my Lords, even this arrangement about the fortresses is in itself so extraordinary, and has created such an electrical feeling all over the country, that it has even operated upon that able individual who conducts a newspaper, patronised I believe by his Majesty's Government. I do not know whether the noble and learned Lord on the Woolsack knows now any thing about a particular newspaper called *The Times* journal; but there is an article which appeared in that paper lately, which particularly struck me as being a very forcible one, for it proves that the demolition of the fortresses was a measure which was entirely disapproved of, and was cried out against by this bantling of Belgium, which Belgium is now in arms, through the means of the noble Earl, and the conduct pursued by this Government. My Lords, what did the writer in *The Times* say on the day on which this Protocol appeared in its columns? Why he said this—"If the great Powers had desired to destroy the popularity of the new Belgic sovereign—to revive extinct jealousies, and provoke fresh resentments against themselves—to give republican agitators a fresh purchase over

the peace of the country, and to throw a lighted torch among a collection of inflammable materials which might otherwise have been consumed without an explosion—they could not have taken a surer or more infallible method of attaining their end. The French government had no right to make its consent to the arrangement of Belgic affairs depend upon the adoption of a measure at once so useless and so irritating—so incapable of giving it any additional security—and so sure to offend the pride of its weaker neighbour. It had no right to disturb the result of six months' negotiations, in order to make a clap-trap in the King's Speech. What would it think of a proposition from the Conference to destroy the fortifications of Valenciennes, or Lisle? and are not Tournay and Mons equally prized in the eyes of the Belgians, though they may be equally useless in preventing a hostile aggression?" Such, my Lords, is the article to which I refer your Lordships, and when I recollect the circumstance of our having had the individual connected with this paper up at our bar, to whom the noble and learned Lord, although he attempted to defend him, was obliged to give something of a lecture—I must say, that I think this editor's tone and sentiments appear to me to be rather in a changing course, in as far as approbation of his Majesty's Government is concerned. I do confess, my Lords, that I was a little surprised to see such animadversions as these, in respect of such transactions, coming from that journal. Some time ago, I remember, on a debate on the union of Belgium and Holland, the noble Earl opposite read a communication, in the shape of a letter, written, as I understood, by his noble friend, Lord John Russell, who seems to be advising him, and giving him hints in the domestic as well as the foreign line, for the purpose of shewing how unnatural it was, that any connection should exist between Belgium and Holland, and that no possible good was, therefore, to be expected to result from that union. Such having been the course pursued by the noble Earl, I hope I may be pardoned, if I proceed to read a letter from a noble friend of mine, who was fully acquainted with the foreign policy of my late brother, who is particularly distinguished for his talent and ability, and whose opinions are entitled to some degree of consideration, from

having filled the high situation of his Majesty's ambassador at the Hague—I mean the Earl of Clancarty. The noble Earl says, “The course of foreign policy pursued by the present Ministry with regard to Belgium, is at total variance with the law of nations, embracing, as it does, an entire disregard to the most solemn treaties; to prove this, read the Acts of Congress at Vienna with its annexes, and the Ricés General of Frankfort, and compare them, as far as relates to the Netherlands, with the London Protocols. What possible right can the Belgians have to Luxembourg, Limburg, to Maestricht, to the left bank of the Scheldt? And how are the fortresses upon the French frontier to be destroyed without the consent of the king of the Netherlands, whose purse contributed to their erection—who has still an interest in them as a first barrier, though, I will admit, much weakened by the oversight and miserable results proceeding from the Protocols of the Downing-street Congress? A miserable mismanagement, indeed, has taken place in things abroad, and all this has its influence, and most powerfully, to promote revolution at home.” Such, my Lords, is the letter of the noble Earl; and, I am bound to say, that I coincide in every word of it, and I go entirely along with his views and conclusions. Now, one word more with respect to the policy of destroying these fortresses. I should like to know whether the Conference of London took the opinion of any military authority whatever on that point. I would beg to ask, whether the noble Duke near me, the first commander of the age, was ever sent for, or communicated with, upon this matter? or did the gentlemen forming the Congress of Downing-street, who may be very good men at *ecarté*, or other games at cards, or other grave questions of establishing kingdoms and creating kings, decide upon so momentous a question as that of destroying a military line of frontier, without resorting to a single military authority or opinion whatsoever as to the prudence of such a measure? I would put it to any one, whether the course pursued was not a most unjustifiable one, thus to decide that these fortresses, which, I say again, have been raised by British treasure, and maintained by British blood, are to be demolished, and the frontier laid open to France, without one military opinion being asked? I

should like to know, even, whether the noble Duke, the Postmaster-General, he being the only person in the Cabinet, I believe, who has any pretension to the name of a soldier, was consulted. I must presume he was not; because, when that noble Duke recollects the scenes which he, and the other soldiers of the day, waded through, in order to establish the power of his country, and those advantages which we gained by the late war, I am sure that that noble Duke could not have contemplated such a result without lamenting the determination to which his colleagues had come, and would feel deep regret to see, that all these glorious monuments, indicative of the termination of the late war, and the exploits of his gallant friend, the Prince of Orange, as well as of his own countrymen, were to be *razéed*, and for what purpose? Only to let them fall into the interests of France. And if Belgium has now less population than when united to Holland, has she not greater need of these artificial defences? If it be pretended that, after the separation, the Belgians had not the means to garrison these fortresses, was it not likely that some application would have been made? None such, however, took place, either on the part of Belgium or Holland, as I have declared, and, it is quite clear, that France alone requires their demolition. Now, having disposed of the question of the fortresses, I shall proceed to draw the attention of your Lordships to the Belgic negotiations, and the manifesto of the king of Holland. It appears, that the Conference determined to proceed on the principle of separation between Belgium and Holland; and, in the eleventh and twelfth Protocols, dated the 19th and 20th of January, they declared, that the Powers had decided upon an arrangement, that they had resolved unanimously on certain bases stated therein, and that these bases were irrevocable. “Après avoir ainsi pourvu aux principales stipulations que leur semblait réclamer l'œuvre de paix dont ils s'occupent, les Plénipotentiaires ont arrêté que les Articles du présent Protocole seraient joints à ceux du Protocole précédent No. 11, du 20 Janvier, rangés dans l'ordre le plus convenable, et annexés ici dans leur ensemble (A) avec le titre de ‘Bases destinées à établir l'Indépendance et l'Existence future de la Belgique.’ Il a été arrêté en outre que les cinq Cours unanimement d'accord sur

ces bases, les communiqueront aux parties directement intéressées et qu'elles s'entendront sur les meilleurs moyens de les faire adopter et mettre à exécution, ainsi que d'y obtenir en temps opportun, l'accession des autres Cours de l'Europe qui ont signé les Actes des Congrès de Vienne et de Paris, ou qui y ont accédé. Occupées à maintenir la paix générale, persuadées que leur accord en est la seule garantie, et agissant avec un parfait désintéressement dans les affaires de la Belgique, les cinq Puissances n'ont eu en vue, que de lui assigner dans le système Européen une place inoffensive, que de lui offrir une existence qui garantit à la fois son propre bonheur, et la sécurité due aux autres états. Elles n'hésitent pas à se reconnaître le droit de poser ces principes, et sans préjuger d'autres questions graves, sans rien décider sur celle de la souveraineté de la Belgique, il leur appartient de déclarer, qu'à leurs yeux le souverain de ce pays doit nécessairement répondre aux principes d'existence du pays lui-même, satisfaire par sa position personnelle à la sûreté des états voisins, accepter à cet effet les arrangemens consignés au présent Protocole, et se trouver à même d'en assurer aux Belges la paisible jouissance." I beg leave to observe, that the unanimity of the Powers is here particularly declared. On reading these documents, I had supposed, that the Conference, after deliberating upon the terms of the eleventh and twelfth protocols, came to an unalterable resolution to stand by them. Now, what has been the consequence of this resolution? Why, our most faithful ally, the King of Holland, however disagreeable the terms might be to him, after much negotiation, gave his entire consent to the eleventh and twelfth Protocols, confirmed and strengthened as they were by the nineteenth. Having obtained the acquiescence of the king of Holland, I should have thought we had little more to do than go straightforward, and obtain the acquiescence of the Belgic government. If the Belgians were obstinate, and we could not persuade them to consent to the arrangement, and bring them to terms, I do not suppose any body will urge that to be a reason why we should feel ourselves called upon to force the party, who had readily agreed to the first terms which were offered, to the acceptance of new conditions, and which were essentially different. I ask,

whether there was any justice in such a proceeding, and whether it is a proceeding which the noble Earl can stand up and justify in this House? It appears, however, that such was the course adopted; because Belgium remained obstinate, they turned round upon Holland, and said, "You were the first to comply with the new articles, but having gone thus far, you must go a step further, and you must submit to the new terms which have been suggested by the French Minister, since Lord Ponsonby declared his mission to Belgium to be at an end, and retired or was recalled by his Government from Brussels." Holland, be it remarked, had acceded to the eleventh and twelfth Protocols, which declared the bases on which Belgium and Holland were to treat to be irrevocable. Such, however, was not the result; for immediately the Conference called upon the Dutch to make further concessions, which I consider to have been gross and manifest injustice; and the sending a fresh mission to the Hague for such a purpose, was adding insult to injury. I am certainly glad, for the honour of this country, that that mission was not confided to a British Minister, whose character must have materially suffered in such a transaction. A noble and very excellent friend of mine, however, the Baron Von Wessenburgh, was selected to proceed to Holland, for the purpose of seeing whether he could cajole, or coax, or wheedle the king of Holland to abandon all which he had previously agreed to, and to consent to the adoption of these eighteen new preliminary articles which the Conference had framed, concocted by the Belgian Commissioners and the French Minister, as far as I am informed. I own, with respect to this mission to the Dutch Court, I never can believe it will be ratified and approved of by Prince Metternich at Vienna, or the Prussian Minister at Berlin. Now, I must here observe, that while the eleventh and twelfth Protocols arranged every thing, the eighteen preliminary Articles left every thing undetermined. It was natural to suppose, when Holland received an intimation of these new demands, she felt that she had been cruelly treated, and she determined, at all hazards, to resort to that line of conduct which her interest as well as her honour demanded. Now, my Lords, let us see what is the language of the king of Holland, as it is to be found in the manifesto published by his

minister for Foreign Affairs. He says—“A mature examination having convinced him that the preliminary Articles would sacrifice the dearest interests of Holland to the insurrection, he cannot accept them, and he must again demand of the five Powers the execution of the reciprocal engagements between the Powers and the King with respect to the power by Protocols eleven and twelve, and with respect to the King by his accession to the bases of separation which the Conference itself, in its nineteenth Protocol, has declared to be irrevocable.” His Majesty then proceeds to assert, that an appeal to arms would be preferable to yielding to those new demands; and with regard to the choice of a Sovereign for Belgium, the manifesto proceeds thus :—“The King refers to the declaration of the five Courts in the eleventh, twelfth, and nineteenth Protocols—namely, that in their opinion the sovereign of that country must necessarily answer the principles of the existence of the country itself, and by his personal situation must be satisfactory with respect to the safety of the neighbouring States, and to this end must accept, without reserve or distinction, the arrangements laid down in the Protocols eleven and twelve, and be in a condition to secure the peaceful enjoyment of them to the Belgians. In consequence of this declaration, which by the King’s acceptance of the basis of the separation of the twelfth Protocol has become an engagement with him, his Majesty, in case a Prince should be called to the sovereignty of Belgium, and take possession of it without first accepting the said arrangements, could not but consider such Prince as, by this fact alone, placed in a state of hostility with him, and his enemy.” Such, my Lords, are the declarations of the king of Holland; and I think your Lordships will agree with me, that there is so much of justice and fairness in it, that it is quite clear he had no other course to pursue, and that no blame is to be imputed to him on the ground of breaking the armistice, or for having taken a line of conduct which he considers necessary for his own defence. And, my Lords, as respects the breaking of the armistice, I think that particular point has been most ably answered in a communication which I saw to-day: I allude to M. Verstolk’s speech to the States-General. That Minister says :—“Holland having accepted

the 12th Protocol, and Belgium the eighteen Articles, which are wholly at variance with the former, the parties are now, as before, diametrically opposed to each other; and what hopes could the Government entertain (especially after the oath taken by the elected prince, confirming the usurpation of our territory) of witnessing the success of a negotiation, which, since last autumn, afforded no result, and which, during the last few weeks, has taken an undeniable bias in favour of Belgium?” I say, therefore, that it clearly appears that the oath taken by the king of Belgium entirely precludes all choice on the part of the king of Holland as to the course left to him to pursue, consistently with any regard to his honour and independence. I say, that there never was an instance in which a Power has been subjected to so much aggravation of injury as Holland has been during these negotiations; and I maintain, that I have made out a case against the noble Earl—which it would well become him to answer—fully proving that he has treated our old and faithful ally, Holland, in a most unfair and unjust manner. I thank your Lordships for the indulgence with which you have listened to these observations, and I promise, as a return for that indulgence, that I will be very short in the remaining remarks which I have to address to your notice. I wish to ask the noble Earl, what is the present state of our affairs? We have a nominal head, and we have the nominal kingdom of Belgium, but is there a single one of the points in difference between Holland and Belgium now adjusted? In all the addresses which have been made by King Leopold to the inhabitants of Luxembourg, Limburg, Maestricht, and other places, is it not fairly admitted, that all the points at issue between the two countries still remain for further settlement? Such is the state of the circumstances under which King Leopold has been placed on the throne of Belgium. Would to God he was back again in this country! For, I cannot suppose, that the noble Earl would march an English army along with the forces of the king of the French, to reduce the king of Holland to subjection, especially as that monarch had willingly acceded to the terms which the Conference at first proposed, and as Belgium is the only obstacle to their being accepted. Would that be justice, even

on the principles upon which the Conference has hitherto decided? Now, my Lords, a few remarks as to the last act of this drama. I have already called the attention of your Lordships to the fact, that King Leopold, immediately after the king of Holland's taking the field—and he was bound to take the best position he could—applied to France for assistance, and France, it appears, ordered immediately 50,000 men to march instantly to Belgium. Was that, I demand, a friendly proceeding on the part of King Leopold, or a fair one on the part of the king of the French? It surely would not have been too much for either of these parties—the king of France, or the king of Belgium—to have waited a few short weeks, or even days, until they had received the noble Earl's *flat* as to what was the opinion of the English Government respecting future proceedings. Where, I would ask, was the necessity for hurry? The king of Belgium was at the head of 4,000,000 of people, while the king of Holland was only at the head of 2,000,000 of subjects. Why, then, should King Leopold have sent to France for assistance in such breathless haste? Could he not have waited until the Conference decided whether France, England, or other Powers, should direct the assisting force, or if any force was necessary at all? I say, that French force is the last that should have been permitted to move. The time has arrived, I fear, when France takes the initiative in settling the affairs of Europe. But I ask the noble Earl and the noble Viscount near him, to point out the period, for a series of years past, that France was thus permitted to be the initiative power. Formerly, she was obliged to consult the Powers with whom she was acting, but now she decides at once, and, without hesitation or inquiry, sends at once 50,000 men into Belgium, in order to subjugate one of the oldest allies of this country. I should like to know whether the days of Charles 2nd are come back again, and whether we are going to join our forces with those of France to crush Holland—not, I admit, as in former times, for the paltry consideration of money—but for one scarcely less paltry,—the desire to truckle to the dictates, and, it may be, menaces of France. Every statesman who looks at our history, from the time of Queen Elizabeth, down to the peace of West-

phalia, and from that peace down to the present time, cannot fail to perceive that the security of our position depends on the independence of Holland. It has always been our policy to secure the independence of that country. Is such our policy now? Does the noble Lord think, that when the French forces once get into Belgium, it will be an easy matter to get them out again? Does the noble Earl reflect, that M. Perier may be outvoted on the Address, and that there may be an immediate change of a peace for a war Ministry? Does the noble Earl think, in the event of that occurrence taking place, that the French will, at his dictation, cause their troops to retire? I say the French ministry would do no such thing; and I also say, that the noble Earl is placing this country in great jeopardy by the line of conduct which he is pursuing towards Holland. I should also like to know whether, if this question had come before the Conference of London for their decision, the noble Earl thinks, that the king of France was the most proper person to force the king of Holland to submission, and that it was fit he should march 50,000 troops into Belgium for the purpose, when 10,000 would have been more than enough? And why, if the king of the French was the most proper agent of coercion, should the unfortunate king of Holland be coerced? Holland being the Power that yielded every thing in the first instance, and not the Belgians. In this respect the case somewhat resembles the untoward event of Navarino; but I will not trouble your Lordships by pursuing this part of the subject further. Such is our position, and I humbly submit, that I have made out a case for the production of papers, which papers, if granted, will fully substantiate all the charges which I have made against the foreign policy of the noble Earl. I declare, as an Englishman, and as an individual having some stake in the country, that I cannot consent to tide on in the present unsatisfactory manner, bowing our heads in every stage of the negotiations to France, in order to avoid the contingency of a war. Why should a great country like this submit to such degradation? I have the authority of my noble friend near me (the Duke of Wellington) for stating, that when he left office, never was England more capable, if a just cause offered, of maintaining a

successful war. In my opinion, the best way to avoid the contingency of war, is to shew that we are not afraid of it, and that we are prepared to meet its hazards. I would therefore advise his Majesty's Government, to take up a higher tone than that which they have hitherto used in these negotiations. I can assure them, that if they do assume such a tone, they will find Austria, Prussia, and Russia, ready to chime in with it. At present, those Powers dare not assume that tone, whilst the French are allowed to domineer, as they recently have domineered, in the Conferences. I implore your Lordships to look at the state of Europe, and of France at present, and to contrast it with the state, in which both were at the period when the noble Earl was first selected to administer the Government of this great country. France is now in possession of Greece, of Algiers, of Lisbon, and, for aught I know to the contrary, of the Portuguese fleet. [Earl Grey.—No! The Earl noble says No; but, such I contend, may be the case; and now we are about to place her in possession of the fortresses in Belgium, into which country she has been permitted to march 50,000 men, and we have deserted and abandoned Holland to the tender mercies of France. Such is the picture of the noble Earl's diplomacy in respect of our foreign relations, and I wish him, heartily, joy of it. I trust that the noble Earl will do me the favour to answer the questions I have respectfully put to him; while I think the public, who are not in this House, but who will see the statements which I have so imperfectly made to your Lordships, will think me deserving of some answer from him. The noble Earl will, I dare say, find fault with me for entering so much at large into this subject—all I can say is, that he may thank himself for my having done so: if he had consented the other day, as I think a Minister in his situation was bound to do, to give me the information which I then solicited, your Lordships would have been spared the trouble you have, now had of hearing me at so great a length. In conclusion, my Lords, I will only beg to return you my most sincere thanks for your kind patience in listening to the arguments which I have very humbly and very imperfectly, but I will say conscientiously, advanced. I therefore, my Lords, beg leave to move, "that an humble Address be presented to his

Majesty, praying that his Majesty will be graciously pleased to order, that there be laid before your Lordships' House copies or extracts of such papers relating to the negotiations between Belgium, Holland, and this country, as can be produced without any detriment to the public service."

Earl Grey: I certainly feel, my Lords, that with respect to the transactions to which the noble Marquis has alluded, I am subject to a very great and a very heavy responsibility; and from that responsibility, when I am properly called upon to answer, I shall not desire to flinch. There is, however, one responsibility which I disclaim, and that is the responsibility of being in any, the slightest, degree the cause of the very long speech which the noble Lord has thought proper to deliver upon this occasion. That responsibility rests solely on the noble Lord himself; and I hope that when he retires from this place, he will be able to reflect with a satisfied conscience on the course which he has pursued to-day, and on the line of argument by which he has attempted to support his Motion. I should be sorry, my Lords, if I could be justly taunted with having been on any occasion deficient, either in my duty as a Minister of the Crown, or in the courtesy which every Member of this House has a right to expect from another. I am not conscious, provoked as I have been, irritated as I have been by questions put to me day after day, accompanied by invectives and declamations not very usual in this place, and founded not on answers which I ever gave, but on answers which it was supposed probable I might give;—provoked and irritated, my Lords, as I have been, I might perhaps be excused if human infirmity had betrayed me into an improper warmth; but though I might be excused, I am not conscious that I ever gave way to such feelings, or ever treated any of your Lordships either with want of courtesy or with disrespect. My answer to the complaint of the noble Lord is, that if he put certain questions to me, because he felt it to be his duty to put them, I withheld an answer to those questions because I felt it to be my duty to withhold it. The noble Marquis must excuse me, if I state to him, that a Motion more ill-timed, more destitute of all parliamentary ground to support it, more calculated to produce embarrassment to the Government, and

do infinite mischief to the public service—circumstances, as the noble Marquis admits himself, and of which he is well aware, I never heard made within the walls of this House. If it be the object of the noble Marquis to hurry this country into a war,—if, in calling upon us not to truckle to France, he wishes us to declare open war against that country, undoubtedly no speech could be better calculated for such a purpose. For what does the whole of his long speech come to but this—that it is our duty to support the interests of this country, and we can only do that by stopping the course now pursued by France, which, according to his statement, is insulting and injurious to us, and which, upon his own showing, we cannot stop, except by an immediate recourse to arms? If it be the wish of the noble Marquis to cast away all plans, all management, and, contrary to his professed desire of peace, to refuse all confidence in the professions and statements of the French government, and hurry this country into a wide-spread and lasting war, if that be the object of the noble Marquis, I will admit that he knows how to attain it, but I will be no party to his success. For the alternative offered us by the noble Marquis, I am not at present prepared. I trust that this country does still possess the means, as I know that she will always possess the spirit, to vindicate her honour and her interests, when that honour and those interests are attacked. But I have yet to learn, that it is either the duty or the interest of a Statesman, who bears a sincere love to peace, and a deep-rooted hatred of war, to precipitate those measures which must produce the greatest of all national evils—I mean war—whilst there is a chance of averting it, by firm, and prudent, and deliberate counsels. I beg, my Lords, that you will not overlook the circumstances under which the noble Marquis calls upon us to take that decisive step, which may long banish from Europe all the blessings of peace. The noble Marquis has told us, that Russia has got the Cholera—that she is engaged in a war with Poland—that she would, therefore, have great difficulty in bringing her forces into the West of Europe—and that, consequently, she could give us little or no assistance. He has likewise told us, that Austria and Prussia are both in a great degree incapacitated by circumstances from taking

an active share in any general European warfare; and who, that looks upon the dissatisfied and disturbed state of Italy and of Germany, does not see the truth of that intelligence? Such being his premises, what do your Lordships think is the conclusion of the noble Marquis? That, in proportion as these our Allies are weak, and incapable of assisting either themselves or us, are we bound to enter into a war on their behalf against France, capable as she now is of rousing every State in Europe to the most dangerous pitch of excitement. I feel all the difficulties and dangers of such a position—I feel, too, that we may possibly be reduced, notwithstanding all our reluctance, to the necessity of meeting these difficulties and these dangers in the face, and of incurring the dreadful evils of another war in support of our national character and our national independence. But will the noble Marquis, who knows nothing of what has passed in these Negotiations—who sees that we are willing to forbear, as long as forbearance is honourable—will the noble Marquis say, that the moment is now come, when, after having taken every step which we hitherto have taken, with the full concurrence of all the Powers of Europe, and when we have every prospect of continuing to act with their concurrence, if his Majesty's Ministers are permitted to follow their own policy—will the noble Marquis say, that the moment is now come, when we ought to fly in the face of them all, and in the face of our own previous proceedings, and thereby to involve Europe in a war of opinions? Notwithstanding the assertions of the noble Marquis, I still hope, my Lords, that his Majesty's efforts, directed to preserve the repose of Europe, and the honour of our country, will be crowned with success; but in order to produce that result, it is necessary that your Lordships should place some reliance upon those Ministers whom his Majesty honours by his confidence. Unless you are prepared to address his Majesty to remove from his counsels the Ministers who at present direct them, it is only fair that you should, during our continuance in office, give us credit for conducting, to the best of our ability, these negotiations, which I admit to be of a very complicated nature. I say not this from any personal feelings, but to make your Lordships aware of the diffi-

culties of our position, and to implore you, not by any rash unadvised measure to compromise the country, or prevent the negotiations, which have the preservation of peace for their object, from coming to a happy termination. He was not prepared, the noble Earl continued, to follow the noble Marquis through all the topics of his desultory, and he must add, inconsistent speech, in which he had touched upon some matters so lightly, that it was almost impossible to understand them, and in which, upon others, he had hastened to certain compendious conclusions, which might be justified by his own views, but which, as he should be able to shew at a proper time, were not justified in any degree by facts. The noble Marquis had inveighed in good set tones, but not with very sound discretion, against Ministers, for abandoning their doctrine of non-interference. There was not a principle which he had ever maintained upon that point, that he was not ready at that moment to re-assert. He insisted, that the principle of not interfering in the internal affairs of other nations, with a view to change their domestic government, was one of the most sacred principles of the law of nations. He was ready, however, to contend, that that principle was subject to exception; and as far as Belgium and Holland were concerned, there was no choice left for this country, for she was impelled to adopt the course which she had taken, in conformity to the first law of nature, that of self-preservation. She was, therefore, bound to interfere, and although the noble Duke's (the Duke of Wellington) authority had been referred to on other occasions, he had not been pressed into the noble Earl's service on this occasion, for the noble Duke had acted upon this principle in the present case, and he was far from blaming him for it, as his interposition was specially directed towards averting that conflagration which threatened all Europe, and he accordingly united with Belgium in order to effect a cessation of hostilities. It was on the same principle that the Ministers now acted—namely, that of the prevention of war; and if they did avert war, they only acted in conformity to the principles of the noble Duke, and consequently preserved, what he had deemed to be, the best interests of the country, and had followed that line of policy which he thought was necessary for her welfare. They did not expect to receive, therefore,

the animadversions of the noble Duke and the noble Marquis, who had themselves acted upon the same principles under the same circumstances. Nay more, the arrangements upon which the present Ministers had acted, had actually been begun by the noble Duke's Cabinet, for the very proper purpose of averting, what he at the time justly termed, the conflagration of Europe. He particularly alluded to that wise interference between Holland and Belgium, in which it was distinctly stated, that "hostilities shall cease between these two Powers, and that we (the interfering parties) will not permit their being renewed;" of which, he repeated, under the circumstances of the case, wise declaration, the conduct of the present Ministers with respect to Belgium and Holland was but the necessary consequence. If, therefore, war should, after all their endeavours, be the result of the present state of events, Ministers would have the consolation, if they were in error, not only of acting in unison with the great Powers of Europe, but of following the path of the noble Duke and his Colleagues. But error it was not, error it could not be; indeed, he in his conscience felt satisfied, that they were consulting the best interests of the country, as well as the dictates of policy and justice. Their Lordships would excuse him for not following the noble Marquis through the several topics of his speech, for replying to his animadversions and refuting his mis-statements, would be to provoke a premature discussion, which would not only, at the present stage of the negotiations to which they referred, be inconvenient to the public service, but might be dangerous to the ultimate object, which he trusted would be attained, the preservation of the peace of Europe. The noble Marquis had asked him, in the last sentence of his speech, whether anything had been done towards a positive settlement of the present angry relations between Holland and Belgium? He wished to God that he could answer the question directly in the affirmative—but he could not; all he could say, was, that the specific settlement—so desirable, he was sure, by all—was in a state of progress; and he hoped, that during the progress of that settlement, their Lordships would see the inexpediency of calling for information, the production of which, under the circumstances of a most delicate negotiation, might risk the defeat of the object the

country had in view. The production of the information, he repeated, would at that moment be highly detrimental to the public service and though a reference to it would easily expose the groundlessness of the noble Marquis's attack, he still, by not producing it, nor referring to it, would submit patiently to the noble Marquis's vituperation — confident that when the proper hour of explanation arrived, justice would be awarded to him by their Lordships and the public. The noble Marquis had taunted him with having departed from the policy so long, according to his statement, pursued with national advantage by his late noble relative. In testifying his surprise at this alleged departure, the noble Marquis said, that "after the present Government was formed he had hoped to be able to give to it his support, but found he could not, as its principles were not those of his late lamented brother." Now this declaration was rather strange, for on the first day of last Session, when he had not the remotest expectation of filling his present office, however the noble Marquis might have felt, he had stated it as his deliberate opinion, that it was impossible to prevent the separation of Holland and Belgium; that it in fact was the inevitable result of the unnatural union and forced system of the balance of European power by which they had been most injudiciously joined together; and in illustration of his sentiments he quoted the observations contained in Lord John Russell's ingenious little pamphlet on foreign affairs, written in 1821, in which the injustice of overlooking the wishes and interests of a weaker State, in order to promote the views of a stronger party, was insisted upon. But that was not the first time in which he had given utterance to these opinions; in the lifetime of the noble Marquis's relative, at the period of what was called the original settlement of Europe, he had explained them at length, and had, in opposition to the illustrious statesman alluded to, entered his protest against that settlement, as a measure that must necessarily lead to all the consequences they were then lamenting. And the result had unfortunately proved, that he was right, and that the noble Marquis's relative was wrong. He did not say this for the purpose of awakening party hostilities, or of reviving contentions long since in their grave, but merely to vin-

dicate his own consistency from the implied censure of the noble Marquis. Indeed, if there was any one matter upon which, more than another, he prided himself, it was his anxiety to bury all past animosities, political and personal, in oblivion. Because it was his misfortune to have differed from Mr. Canning on some points of policy, the noble Marquis seemed to think, that therefore he should have the more closely adhered to Lord Castlereagh's; and should have adopted another line of policy towards Holland and Belgium. It was true, that he had opposed Mr. Canning in some parts of his policy, and in so doing he had had the misfortune of differing from some of his dearest friends, who at that moment acted with Mr. Canning, and of agreeing with other noble Lords, who just now were opposed to him. However, his main objections to Mr. Canning's government were not founded on the foreign policy of that Minister, though there were points of it, relating to Portugal and Greece, not wholly unexceptionable, but some points in the formation of that government, which it was not necessary to enter upon; suffice it that they were not personal nor factious, nor influenced by any other consideration than regard for the permanent welfare of the country. But he had zealously supported Mr. Canning's foreign policy in general, not because it was that of the noble Marquis's relative, but because it was a step towards retracing the injudicious policy of his predecessors. He wished to ask the noble Marquis whether, if peace were his object, and he desired to promote the interests of Holland and this country, the violent language he had made use of in reference to other Powers, parties to the negotiations carrying on for the preservation of these interests, could serve any good purpose? He was not ashamed to avow, that it was his own anxious wish from the beginning to support Holland, our ancient ally, and to secure her independence, but he did not, therefore, feel that it was incumbent upon him to precipitate this country into a war for that special purpose. But, said the noble Marquis, "You have not adhered to your own positions; you have abandoned them at various times in the course of your negotiations with respect to Holland and Belgium; therefore, what security can we have that even your present settlement will be that of the next week?" He

would ask the noble Marquis, was this occasional departure from the letter of the original matter of negotiation unprecedented? In fact, did he ever know of any negotiation, the terms of which were not influenced and modified by time and circumstances? That may be all true, admits the noble Marquis, but why make each step in your negotiation an abandonment of the interests of the king of Holland? At the proper time he would be prepared to convince, if not the noble Marquis, at least their Lordships and the public, that such had not been the case, and that, however present circumstances might be lamented, they were the inevitable results of the policy of the late Administration. With respect to the conduct of the French government, in reference to Belgium, upon which the noble Marquis had animadverted, he was bound to state, that the conduct of the French government in the whole transaction had been most fair and open. It had been called upon to interfere, pursuant to treaty, in the case of an armistice violated without notice, and contrary to the understanding of the other parties to that armistice. But France had only been called upon as this country, and the other parties to the treaty, had been called upon; and in acting as France had done, the French government felt it was merely fulfilling its solemn engagement. "Admitted," says the noble Marquis, "but why not await the result of negotiation and concerted mediation?" He was not then called upon to discuss that point. It was sufficient for the present purpose to state, that the French government had not interfered but on this most pressing solicitation, and had given the most positive assurance "that its sole object was the defence of Belgium, and when that shall have been secured, and the Dutch troops shall have repassed into Holland (he was not aware whether the French had as yet crossed the Belgic frontiers—there was no official account of their having done so), the French troops shall forthwith return within the French frontiers." This assurance struck him as most satisfactory. At a proper time it would be seen with whom the blame originally lay—that is, whether the conduct of the king of Holland, in violating an armistice which it was his duty and interest to observe, was the proximate cause of the march of the French troops, or whether, as the noble Marquis alleged, his

Dutch Majesty had all along acted wholly on the defensive. He must again repeat, that he could not enter into a discussion of the merits of the question between Holland and Belgium, while negotiations, having the permanent settlement of the dispute for their object, were still pending. Should they fail in effecting that settlement, or should a discussion on its merits be expedient before its termination, then he would be prepared to produce such information as would enable them to discuss it without doing injustice; but till either emergency had arisen, or till the settlement had been finally concluded, he felt it due to the King's Government, to himself, and the country, to deprecate all discussion as premature and mischievous. At that stage of the proceeding he felt, that not to withhold the important information to which the noble Marquis's observations referred, would be improper and unsafe, and therefore, in postponing all discussion to a fitting period, he felt that he was only performing his duty as a Minister, and following the conduct of all his predecessors in office. If, however, the noble Lords opposite should deem it otherwise, and that the House should agree with them that Ministers were pursuing an unwise policy with respect to Holland and Belgium—a policy derogatory from the honour of the country and the Sovereign—why, let them explicitly say so at once, and let the noble Marquis come forward with a direct motion to dispossess them of their present places, instead of endeavouring to hold them up to public censure by indirect attacks like the present. This would be the more manly course—the easiest to be grappled with. But he confidently appealed to their Lordships and to the country, not to withhold their confidence from Ministers so long as they pursued a line of conduct which, once for all, he repeated, he should, at the proper time, be prepared to show, was that most conducive to the interests of the country.

The Duke of Wellington did not rise, as he had stated on a former occasion, to throw any obstacles in the way of Ministers, in their present negotiations, but to offer a few words in explanation of the part taken by the king of the Netherlands in the recent transactions, which not only involved the honour and interests of that monarch, but, as it struck him, of this country also. What he had to complain of, as the main result of these transactions,

was, that we had, through them, lost that influence over the government of the Netherlands, which it had been the endeavour of all English statesmen to obtain and preserve; and what he had to contend was, that all the mischievous consequences which had followed to the king of the Netherlands, our ancient ally, from these transactions, were the result of this lost influence on the part of England. The kingdom of the Netherlands had been, as he had explained on a former occasion, established by the Treaties of 1814 and 1815, the parties to which alone had the right of determining the expediency of separating that kingdom into that of Holland and Belgium, as at present. When that separation had been agreed upon by the Allied Powers, parties to the Treaties of 1814 and 1815, the terms of an armistice were laid down between Holland and Belgium, in which, by implication, the Duchy of Luxemburg was guaranteed to the king of the Netherlands. Now he maintained, that the conditions of that armistice had not even yet been faithfully observed by the mediating parties, and that, so far as it had been acted upon, it was to the prejudice of the king of the Netherlands. It was true, that Holland and Belgium were bound, by the five Allied Powers, to suspend the hostilities at the time threatened between them; but it was equally true, that it was impossible to arrive at a sound opinion, on the part which the king of the Netherlands had taken, in breaking that armistice, without taking into account all the transactions subsequent to its original promulgation, and up to the period of the appointment of the new king of Belgium. The armistice was followed up by the Conferences at London, which ended in the determination, that as it was impossible to bring two hostile portions of the kingdom of the Netherlands back into friendly union under one government, the five Allied Powers should apply themselves to effecting the separation of these two portions, into the separate kingdoms of Holland and Belgium. He, in common with their Lordships, viewed that separation as perhaps unavoidable; at least, he considered that the re-union of the two separated kingdoms under the one monarchy, was hardly practicable. That was not, however, the matter at issue. What he wished to call their Lordships' attention to was, that in effecting the separation, the interests of Holland were

wholly overlooked by the English Ministry. He believed, in the first place, that the basis of the separation was not formally communicated to the Dutch government. He could not take it upon him to state this fact positively, but he would say, that he had no doubt, that the noble Lord (Lord Ponsonby), who acted as the agent to the parties in the Conferences at London, did not make the communication as soon as he might have done. On that noble Lord first repairing, in his capacity of agent, to Brussels, he, so far from communicating the record of the arrangements which had been concluded by the five Allied Powers, with respect to Holland and Belgium, to the Dutch government, returned for instructions, as to whether he should or not—though he had already announced it to the provisional government at Brussels—also communicate its purport to the king of the Netherlands; and was sent back with instructions in the affirmative. In consequence of these instructions, the noble Lord addressed a letter to the Dutch government, in which, as it should seem, on his own responsibility, he gave up one of the most important topics in the original record of the basis of the separation—that, namely, which guaranteed to the king of the Netherlands the possession of the Duchy of Luxemburg. This very important omission, of course, gave rise to just complaints on the part of the king of Holland. That monarch found, first, that the five Allied Powers agreed to a certain basis of separation of the northern and southern portions of his dominions into two independent States, according to which basis he was to be secured the possession of his Duchy of Luxemburg; and next he found, that instead of their accredited agent communicating to him the record of this basis, to which it was more than probable he would have at once assented, he announced the separation in terms of which the retention of this Duchy formed no part—nay, in which it was laid down, that he was also to forfeit that portion of his dominions. And feeling this, the king of the Netherlands very justly complained, particularly so far as this Government had thus acted towards an ancient ally, with whom it had been our policy to cultivate amicable relations for the last 150 years. He wished to make their Lordships fully aware of the importance of this view of that Monarchs conduct—the rather, as France was a party to the ar-

rangement, and that an English nobleman was the agent of the Conferences which had thus acted so partially, and inconsistently, and unjustly, towards the king of Holland—features of the transaction which prevented him from sitting silent, when they were referred to in the Debate. He feared that public opinion would not hesitate to declare, that in furthering the settlement of the new kingdom of Belgium, England had abandoned the interests of our ancient ally, the king of Holland. It had long been, he repeated, the anxious policy of this country, to cultivate the most friendly intercourse with that monarch, to secure the integrity of his territory, against the encroachments of France. It was the old interests of England, no less than of Holland, that Belgium should be beyond the control and influence of the French government, and yet Ministers had set these interests at nought, or rather, abandoned them in favour of Belgium. It was our interest not to let the French troops overrun Belgium, as they no doubt would do, if they had not done so already; and it was no valid justification of the injury to our national interests, that their having done so was in pursuance of a treaty, to which we also were a party, for guaranteeing the integrity of the new kingdom of Belgium. He asked, what business had we to guarantee this integrity at the expense of Holland? None whatever; nay more, our only business ought to have been, to guarantee the integrity of Holland against Belgium and other States. Let their Lordships look also how the interests of the king of Holland had been abandoned in the eighteen preliminary articles referred to by his noble friend. In the original basis of separation, the king of Holland was guaranteed the Duchy of Luxemburg. He was willing to abide by that basis. In the meantime, however, the new king of Belgium had stepped in, and swore to the maintenance of the constitution which the Allied Powers had drawn up, of which constitution, the annexation of the Duchy of Luxemburg to the new kingdom, was a fundamental arrangement. The king of Holland had just ground of complaint against this country, and the other parties to the articles; and this, too, in favour of a newly-elected king, whom no Power in Europe as yet had recognized, except the kings of France and England. Was it, therefore, surprising that the king of the Nether-

lands should complain of his interests being thus abandoned by us? Was it surprising, too, that we had, in fact, lost our influence over the Dutch government? Could it be expected, that we should retain the good-will of a State whose interests we thus disregarded? He would not then enter upon a discussion of the question involved in the breaking of the armistice by the king of the Netherlands, further than to beg their Lordships' attention to the provocation which that Monarch had received, before he had proceeded to extremities, and to the decisive effort he had made beforehand to avert them; and, above all, to the strange conduct of Ministers with respect to that effort. After the king of Holland had received the communication of the terms upon which the Allied Powers had agreed to the separation of Holland and Belgium, he forwarded a despatch to the British Government, in which he distinctly states, that he will endeavour to maintain the original basis of the separation—*par ses moyens militaires*—an expression too plain to be mistaken. Now this letter was delivered at the Foreign Office, by M. Zuylen de Nyevelt, on Wednesday, at twelve o'clock, but, strange to say, was not opened by the noble Foreign Secretary till next day. That is, a letter containing this important communication, was not opened till it was too late to prevent the mischief it was intended to warn our Government was likely to ensue. This, it was most important to bear in mind; for he maintained, that had that letter been, as it ought to have been, opened on its arrival at the Foreign Office, there would have been sufficient time to prevent the march of the French troops across the Belgian frontier, and, indeed, that of the Dutch troops across their own frontier, if they had, which he doubted, even as yet, crossed that frontier. He was anxious to obtain information with respect to the delay in opening this important communication, and he hoped it would be satisfactory.

Earl Grey was sure, that the explanation he had to afford the noble Duke would be satisfactory, and would, moreover, show the inconvenience of the premature discussion to which the two noble Lords opposite would lead the way, and against which he had in vain often raised his voice. The noble Duke had referred to a letter from the Dutch government, which had

been delivered, as he had correctly stated, on Wednesday (at twelve o'clock), with the view to induce their Lordships to believe that it contained a warlike menace, on the part of the king of Holland. The noble Duke interpreted the expression *moyens militaires*, as if it had no other meaning than military "means" or instruments. Now, he put it to their Lordships, whether the obvious signification of the terms *moyens militaires* was not military "measures." ["No!" from Duke of Wellington.] The noble Duke might say "No," but he was singular in his interpretation. It was true, as the noble Duke had stated, that M. Zuylen de Nyevelt had forwarded to the Foreign Office, on Wednesday night, the document referred to; but, as it was addressed, not to the Foreign Secretary, but to the Conference at large, it was not opened till the Conference had met on the next day—Thursday. In the mean time, we had received despatches from the British Ambassadors at the several courts, to which a similar letter had been addressed by the king of Holland, and they had unanimously concurred in interpreting the expression *moyens* in a sense different from that of the noble Duke. They, in fact, in common with, not only the members of the Cabinet, including, of course, the Foreign Secretary, but also the Ambassadors, parties to the Conference, united in giving to the expression but the one obvious meaning of being a mere "measure," not implying actual warfare. They never, for a moment, contemplated the proceedings of the king of Holland, and all united in expressing their surprise at his violation of the armistice. But, to put this interpretation beyond all doubt, M. Falck, the Ambassador from the king of Holland, as well as M. Zuylen de Nyevelt, were called in to the Conference on the day when the letter was opened, and asked to explain what meaning they attached to the phrase. Their answer was, "that they had no instructions from their sovereign which would enable them positively to specify its meaning."

The Duke of Wellington would not deny that the expression *moyens* might be rendered "measures;" but contended that "means" or "instruments" were its most obvious meaning.

Earl Grey repeated, that all the courts to whom the letter had been addressed had interpreted it differently. Besides, his noble friend, the Foreign Secretary, had, on

the Thursday alluded to, half an hour's conversation with the Dutch Ambassador, during which not a word transpired that would lead to the belief that he had looked upon it in the light of the noble Duke—that is, as implying overt hostility.

The Lord Chancellor felt the inconvenience of at all entering into a discussion upon the subject-matter of delicate negotiations still pending, and which could not be properly discussed, on one side or the other, without a violation of necessary secrecy. If, however, danger be the result of the irregular discussion thus persisted in—if peril be the consequence of partial disclosures of matters referring to still pending negotiations—if the present groundless remarks and insinuations of noble Lords, anxious to embarrass Ministers, should, unhappily, be the means of throwing obstacles in the way of those settlements and treaties, by which we hoped to avert war, not merely from Holland and Belgium, but the whole world, he and his colleagues washed their hands of the consequences—be they on the noble Marquis, who cared not for them—be they on his supporters, who, if he was not greatly mistaken, were not quite so careless as to what might be the result of their proceedings. The noble Marquis, who, as the mouth-piece of a party more wary than himself, had brought forward the present Motion, most probably disregarded, if indeed he clearly saw, the probable and lamentable results of such a mischievous proceeding; but not so those other noble Lords who had cheered him on, who, it was not easy to believe, could be ignorant of the evils—the alarming evils—it might inflict upon the country. Not only was the noble Marquis made the mouth-piece, but he was likewise created the head-piece of the party; and he availed himself of his being this head-piece, to snatch every possible opportunity of a chance debate, to bring forward the most unfounded charges, and to make the most uncandid statements and unauthorized assertions that any Member of the Legislature ever ventured upon. He would remind their Lordships of the results of similar discussions, which had taken place at no great distance of time, as an illustration of the consequences of the secrets of negotiation being preserved in one place, while they were, *de die in diem* promulgated in another, and that other a public assembly. Did their Lordships think that negotiations were be-

nefitted while the Belgian Congress were daily informed of them? And who were so ready to exclaim, who so ready to draw the moral from the tale, who so ready to talk of the danger of popular governments, and to mark the certain consequences of ever permitting the secrets of negotiations to transpire, as being totally incompatible with their successful issue? They were, he believed, the very persons who urged forward the present Motion by their mouth and head piece, the noble Marquis. Then, if he wanted a reason against such a practice, without going to Belgium, without leaving that hall—he would not say, look to the danger, for that would apply only to the noble Duke, who had marched in to save his less considerate friend—he would only say, look to the absurdity of such proceedings. For could any thing be more absurd, than for persons to rush into discussions with a firm confidence that the information on which they raised debates was perfectly accurate, when it turned out that never were the assertions urged in a meeting, public or private, or in any court of law, where hired advocates are engaged to assert what they find in the instructions they receive, more unfounded? And never did he, in the course of his experience, judicial, forensic, or parliamentary, see any case in which the facts relied upon were more unfounded than those which had given rise to this discussion. In the whole course of his experience, he had never heard any man go into a court of law, even among the hired advocates, whose professional duty it was to make speeches up to the mark of the statements and instructions in their brief, with a more exaggerated statement. He did not state this out of any disrespect to professional orators, or hired advocates, he only made the observation by way of acknowledgment to the noble Marquis's discreet zeal and consummate judgment. But, in the present case, what was the charge which the noble Marquis had brought against his Majesty's Ministers, with such an apparent satisfaction, and with such an evident expectation of carrying the House with him, in his zeal to condemn the government of the country? His charge was, that if his noble friend, who had presided over the negotiations, had only been a little more alert—if he had only evinced a little more alacrity, and had he been more alive to his duty, he would not have carried in his pocket, for twenty-four hours, this sealed letter,

without opening it—a letter which notified the termination of the armistice; and, added the noble Marquis, had the letter been opened, there was no saying, even he himself (Lord Londonderry) could not tell, what benefits might not have been derived by stopping the military operations. There were two answers, however, to this charge of the noble Marquis, but of which the noble Duke was in utter and in hopeless ignorance; first, that all those who read the document, the giving of which was to relieve the sovereign of Holland from the charge of breach of faith, did not understand it in the manner the noble Duke did. That this was peculiar to the Government of this country, he was glad did not happen to be the case, for there were present, the Russian, the Prussian, the Austrian Ambassadors, as also the French Minister—not deficient in acuteness amongst his brothers—and not one of them could perceive this. Moreover, there were all the Ministers, in what some might call the Bœotian air of the place where this letter was written, and they, too, were equally incapable of understanding this letter to be a declaration of hostilities. So much for the distinctness of this document—a fit origin for the motion of the noble Marquis. But how could the very opening of this letter stop operations already begun? For this notice was brought by a person who well knew, while he was the bearer of this sealed document, that, before he left the Hague, orders had been given to the army to march. So, even supposing this letter to be as plain as the alphabet, and that we got it on Wednesday, and that he had himself concurred in taking measures in half an hour afterwards, what good effect could this produce? But the fact was, that so little did the laches of the Secretary for Foreign Affairs impede the decisions of Government, that measures were taken by the Government before twelve o'clock that night, they being in possession of intelligence of the intention of the Dutch government (from other sources) to break the armistice [*“What?” from Lord Londonderry.*] “I say, proper measures were taken; but if the noble Lord wishes me to tell him what they were, I can only say, that here, as in other cases, he reckons very much without his host. If the letter had been opened, nothing more could have been done, since the person who brought the letter, and came over to negotiate, knew

that the troops were ordered to march." Now, one word as to the good faith—the *uberrima fides*—he used the word of the Dutch jurists—of the king of the Netherlands. If Mr. Zuylen, and that good and excellent friend of his (Lord Brougham's), the Minister of the King, wished to give notice what his master meant, it was extraordinary that this gentleman gave no intimation of it to the Conference, though he was aware that orders had been given, before he left, to the army to march. It was still more extraordinary that this gentleman had not dropped the most remote hint of this during his conference with the Secretary of State. Whether this notice was drawn up in terms, the object of which was not to be plain, he could not say, but it looked as if such was the case! He would not enter further into the subject, but he believed that enough had been said that night to prove, that the charge which had been brought forward against his noble friend, did very much add to the great inconvenience felt from entering into these partial and useless statements. The noble Duke had said, that England no longer possessed that influence which she once so happily exercised in the affairs of Europe.

The Duke of *Wellington* — I said of Holland.

The *Lord Chancellor* continued: he begged the noble Duke's pardon for the error. What had been the influence to which the noble Duke alluded—the influence acquired, or, to use other language, the influence consolidated and rendered permanent by that final settlement of the affairs of Europe in 1815? The settlement of the affairs of 1815 had indeed been final, for every year had seen it approach to its end, and in the short efflux of time since 1815, it had finally ceased. But when the noble Marquis talked of the influence of England in foreign States, he (the *Lord Chancellor*) would tell him, that he would never consent to embroil the peace of this country every time a gun was fired on the Continent. That the present race had outlived the follies of their predecessors, he was not the man to regret. He was not the only one that took credit for seeing things in a sounder light than their ancestors Godolphin and Marlborough. If this great predecessor of the noble Duke had only lived to the year 1823, he would have held down his head with shame, and would have lifted

up his eyes with amazement, to see, that after he had made war so long and so gloriously, in order to prevent France having any influence beyond the Pyrenees, this country could suffer France absolutely to overrun Spain, without firing one single shot in her defence, (he said, God forbid that she should have done so), but, what was extraordinary, without her using any of those spirited remonstrances, and of that very strong language, which diplomacy keeps bottled up for the use of cabinets. The noble Marquis had said, that it was the paramount duty of England to protect and support the king of Holland, or rather, the king of the Netherlands, for he was still the king of the Netherlands, and he had then charged Ministers with having deserted that monarch; and moreover, the noble Marquis had insinuated, that this desertion had been perpetrated with the sinister view of promoting the election of Prince Leopold to the throne of Belgium. He utterly denied the whole of the charge. He would assert openly, and without any fear of contradiction, that Ministers had not interfered, directly or indirectly; that they had not encouraged, and far less enforced, the arrangements by which the Belgian people had chosen a king for themselves. It was very well known, that Prince Leopold had not been the first person upon whom the choice of the Belgians had fallen. The choice, in the first instance, had fallen where there were family connexions and old associations to favour it: the views of the people had been directed to the Bourbon family, and to the ex-sovereign family of France (the Napoleon family); and, in either case, he supposed it could scarcely be necessary for him to state, that the choice would have been in the highest degree exceptionable in the eyes of every man in Europe who did not wish to see Belgium become a province of the French kingdom. When the noble Earl said, that Ministers had interfered so far as to say who should be chosen, or when he asserted that they had at all interfered with the Belgians' free choice he, (the *Lord Chancellor*) must peremptorily—he must, with the utmost degree of distinctness, plainness and emphasis—deny the charge. He perfectly agreed with the noble Duke, that Ministers had no right to interfere with the Belgians, and that they ought to be on good terms with England as the friend of peace: in short, that Belgium, in every re-

spect, ought to be a neutral power. He had the greatest possible respect for the eminent virtues, for the many and high acquirements, and for the prudence, moderation, and discretion of that most distinguished Prince, who had been raised to the throne by the free voice of the Belgian people. That illustrious person had not one drawback, or at most, he had only one: he could have wished that Prince Leopold had been less connected with this country, because he did not wish that this country should be particularly connected with Belgium. In no case could England have any business to make herself a party with Belgium. Then came the noble Duke's assertion, that we had failed to advance the interest of somebody else to that throne. Did the noble Duke think that the king of Holland ought to have been elected king of Belgium? [*The Duke of Wellington here signified dissent.*] He was glad to find that the noble Duke did not wish such a thing. The noble Duke had, with that candour which was so characteristic, stated, as on other occasions, his opinions, whether those opinions were in favour or against the Government. But here the noble Duke ought to bear in mind what were the dominions of Holland properly considered as such, when he spoke of the duchy of Luxemburg. When their Lordships were told to make a stand about Luxemburg, and were reminded of the necessity of adhering to the ancient ally of England, it was essential to consider what were the dominions of the king of Holland *quasi* Holland. Luxemburg had nothing to do with Holland—it was rather a private possession of the Nassau family. If Luxemburg had been, like Amsterdam or Flushing, belonging to the territory of the United Provinces, then, indeed, it would have been a different matter. He hoped, that the family on the throne of Holland would long continue to reign. He trusted, that the monarch would see the necessity of acting with justice and liberal policy, such as became the king of a free people. It would be advisable for him to eschew taking all advantage of attacking a neighbouring monarch, if he wished to secure the confidence of other countries; and above all, let him avoid that which, whether proceeding from king or people, was equally detestable, which might possibly plunge Europe in a general war. If there were a sovereign so lost to all that was essential to the happiness and tranquillity of

his people—if there were a sovereign smitten with so unholy a desire—if there were a sovereign who entertained so reckless and bloodthirsty a selfishness as the conquest of a province (even supposing it might have been unjustly lost)—if there were a sovereign, who knowingly and wilfully plunged Europe into war for such an object—he would say, that sovereign no longer deserved the respect and devotion of his people. He had always expressed his admiration of a limited monarchy, believing it the best calculated for the happiness and prosperity of the people; but if he found, at the present day, that a sovereign, even in a limited monarchy, could so sport with the happiness of his people, sacrificing that to his own selfishness, it would go far to make him change his opinion of that form of government. The noble Marquis had attacked his Majesty's Ministers, and the noble Earl at the head of the Administration had come in for a good share of his censures. The noble Earl had, however, duly answered the charges. The noble Marquis had attacked him for having made this and that appointment in his own family. Amongst other complaints of the noble Lord, he urged, that his noble friend at the head of the Government had appointed to a high diplomatic situation a relative, certainly not unworthy of that trust, and that he made matter of grave accusation, as if no head of any government had ever, under the influence of fraternal affection, appointed to a high diplomatic situation, one relative who was the furthest in the world from being fit for such a trust. The noble Marquis had attacked the noble Earl for his diplomatic appointments, and had complained of his having bestowed a bishoprick on his relative. Now, there was not the shadow of truth in this story, and the only information on that ground was derived from what the noble Marquis and his friends on that side of the House seemed to make their chief study—he meant the newspapers. Before he concluded he could not refrain from saying a few words as to what fell from the noble Marquis who had taken the lead in the present discussion. The noble Marquis had done him the honour to anticipate from his mouth what he was pleased to term sarcasm and vituperation; and, although he might be very fond of indulging therein, he must be allowed to say, that the noble

Marquis was himself, in no small degree, addicted to attempts of that nature: it by no means followed, however, that because a man was fond of a thing, that he was therefore good at it. The noble Marquis laboured hard at vituperation and sarcasm, but he still, perhaps, meant no harm. He was perfectly innoxious. Sarcasm, in its original meaning, meant stripping off the skin, and the noble Marquis, in his laborious attempts at that species of rhetoric, might still show the same spirit as if he made the most successful speech that ever had been delivered in that or the other House of Parliament. He certainly never heard, there or any where else, more personal allusions, hardly ever more frequent references to particular individuals or families; certainly, never more direct censure attempted to be cast on Ministers, at home and abroad, and especially upon the representatives of foreign Powers in this country. In the course of the noble Marquis's speech, he frequently adverted to the information which he derived from newspapers, and in the same breath denounced those vehicles of information, though almost all the knowledge he appeared to possess arose from what they supplied him with. He must address the noble Lord in the language of the woman in the play "fond, ungrateful man!" for if ever there was a man who was both fond and ungrateful it was the noble Marquis. He would ask the noble Lord how he could have gone on without the assistance of the newspapers? He did that, notwithstanding all his censure of the daily press, which perhaps had never before been done in a House of Parliament—he not merely read a newspaper, for the purpose of laying before the House a document or a narrative, but he laboured to eke out his argument with the speculations of a Parisian Jacobin Journal. The noble Marquis quoted largely from *The Times* of this country, a newspaper which he (the Lord Chancellor) was not in the habit of reading, but to which, considering how much he was indebted to its columns, the noble Lord had behaved most unhandsomely. He borrowed its knowledge, even its expressions, and then abused it. On the subject, however, which that newspaper supplied him with, as well as with respect to the feeling which he entertained relative to the nepotism of which he accused his noble friend at the head of his Majesty's Government, it would be in vain should any attempt

be made to disabuse his mind. If that mind were brayed in a mortar, prejudices could not be beaten out of it. The noble Marquis complained, that two Ambassadors and an Irish Bishop had been appointed from amongst the relatives of the noble Earl at the head of his Majesty's Government. Now, though that statement was not true, he recommended his noble friend at the head of his Majesty's Government to realise it; and at least some good would then arise from the speech of the noble Marquis. He should have thought, that the noble Marquis would have been the last to allude to nepotism in appointments to foreign missions; he could scarcely have forgotten, that fraternal affection had appointed to such missions persons unfit—notoriously unfit—unfit to a degree the world never witnessed before. Delicacy prevented him going any further, he had no doubt the allusion would be properly applied, and while he could not sufficiently wonder at the noble Marquis, for making such assertions he could not sufficiently admire the courtesy of his noble friend in making no personal allusions in his reply. He should next proceed to another subject equally distasteful to him. It had been heretofore, and justly, the boast of this country, that amidst all the contentions of party strife, her Statesmen had never forgotten what was due to the feelings of foreigners; it had heretofore been to the credit of British Statesmen, that they acted as if they knew that the foreign Ministers in this country were defenceless, and therefore ought not to be attacked—that they were strangers, and therefore entitled to hospitality—that they were the Ministers of Sovereign Princes, and that therefore to them was due courtesy of a higher order; that though they had the feelings of men, they had the duties of Ministers to perform—the duties were cast upon them, the feelings were born with them, and it might not always happen that it was in their power to control those feelings: it, therefore, had ever been the practice of British Statesmen to avoid attacking persons so circumstanced; because, apart from the feelings of generosity, which he trusted would animate the mind of every Briton raised to high station, it could not but be felt, that peace or war might depend upon the feelings of persons holding such situations. He did not allude, for obvious reasons, to what had been said of

Prince Talleyrand, but he alluded generally to what had been said of the Representatives of Kings, Potentates, and Powers maintaining intercourse with this country. He regretted much, that they had been attacked—for the first time in his life had he heard them attacked in that House, whose duty it was to treat them with respect—he had heard them, in so many plain words, described as good at *ecarté*. He did not say there was any thing sarcastic in the observation, but this he would say, that it was a very coarse attack, and was calculated to rankle in their minds, unless it met with the disapprobation of their Lordships, as much as the happiest epigram that the most skilful poet ever penned. There could be no doubt, that the language held would by them be regarded in the light of a marked and decided insult, if it were not at once put down by a unanimous expression of feeling on the part of the Assembly in which it was pronounced. In thus applying a salve to the scratch or irritation—he would not call it wound—so inflicted, he would add, there were none to whom censure of any kind could be less applicable than to the Representatives of foreign Powers in this country; they were men of qualifications of the highest order—of singular endowments—of great acuteness—of large information—of sound and acute judgment; it would be well if their talents in this respect could be caught by some of their Lordships; but it would seem, that this quality of the mind was like some others, a gift bestowed by nature; and, above all, they were men eminent for their courtier-like manners; and well calculated to conciliate, rather than provoke the resentment of men with whom they mixed. The noble and learned Lord, after apologizing for the praise thus drawn from him towards personages so independent of it, went on to say, that he wished to make a single observation on a subject dear to his heart, he meant the preservation of peace. Those, indeed, were not really the most averse from war who took every opportunity of expressing superfluous horror of it; but he felt with the noble Duke, a proud confidence in the power of Great Britain, and was sure, that if in a just cause it became necessary for this country to draw the sword, her resources were ample, fully adequate to any struggle in which necessity might engage her. Did he, therefore, desire to seek

cause for any public quarrel? Quite the contrary; but he would not be driven to advise the drawing of the sword by senseless ribaldry, or by any consideration less than absolute necessity; for when once drawn, no man could tell what tides of blood might be shed—what months and years might pass before the sword could be returned to its scabbard. Unless, therefore, a case of the clearest necessity should arise, regarding the honour and the interest of Great Britain, he should esteem it a crime of the deepest dye to draw that sword, which might not be sheathed till the whole of Europe had been devastated, and converted, from the smiling abode of peaceful men into the blood-stained haunt of ferocious murderers.

The Earl of *Aberdeen* said, that according to the Protocol which the noble Earl (Grey) had laid on the Table of that House, it was evident that no reasonable objections could be made to the production of the papers which the noble Marquis had asked for. He thought the conduct of the noble Earl and of his friends marked by a want of candour. He would characterize it as un-English, and he might even use more significant terms, for the papers which he required to be officially laid on the Table of the House, had been printed and circulated throughout Europe. From the insular situation of the country, and from the other great advantages which England possessed, she might have taken the lead, instead of the position she now occupied, in all European transactions. He thought Ministers had acted most improperly, unjustly, and without regard to the interests of the country, in the proceedings respecting Portugal and Holland. If any foreigner were to ask him what was the foreign policy of England, he should say, that parties were divided on the subject; but there was one point on which all parties were agreed—namely, to maintain a strict alliance with Portugal and Holland. Notwithstanding this, Ministers had sacrificed Portugal to the tender mercies of a French Admiral. The noble Earl seemed resolved to keep blind to what was passing there; but at length his eyes had been opened on the subject by what had lately occurred, in which that Officer was the principal instrument. The treatment of Holland he knew not in what terms to describe adequately. His Majesty's Government had not only treated that country with neglect, but had been

guilty of an abandonment of principle, in violation of solemn treaties and engagements. Their Lordships would do him the justice to recollect, that he had disclaimed, in what he had advanced on former occasions respecting Portugal, all sympathy with that government; but he had invariably maintained, that we were bound to preserve the interests of the people, which were in unison with the interests of this country. This had been the line of argument which he had always taken. He could not but deeply lament the course pursued by Ministers towards Holland. Could the House forget the heroes and patriots of former periods, connected with that country? Were their Lordships indifferent spectators to what was now passing? Could they see a free and intelligent people, united with their Sovereign, so treated? Ministers had much to be condemned for, in the course they had taken. They had acted with great injustice towards Holland. He was anxious to gain the attention of the House for a few minutes, whilst he described the course which had been taken respecting Holland. In doing so he would not enter into a history of the origin and progress of the Belgian Revolution—he would not proceed to inquire how far that Revolution owed its origin to fifteen years of peace, increasing wealth, comforts, and happiness, under the beneficent sway of the king of Holland, or how far it was owing to those free institutions which existed under him, and to which that people had never before been accustomed. Without going into such an inquiry as that, he would say, that it could not be denied that the Revolution in Belgium was the first born of the French Revolution—that as such it possessed still greater claims to pre-eminence, and that to it they might apply, if they pleased, the expression *matre pulchrâ filia pulchrior*. Immediately after that event, a separation between Holland and Belgium having become inevitable, the king of the Netherlands called upon the five Powers, who were parties to the creation of the kingdom, to render their advice and assistance, in order to see what course, under these circumstances, it was best to pursue. Accordingly, the Ministers of the five Powers met, pursuant to the provision of the treaty entered into in the year 1818, at Aix-la-Chapelle, and their first step was, to procure a suspension of arms, in order

to stay the effusion of blood. The mediation so undertaken by the five Powers, was accepted by the king of Holland and the Belgians, and the armistice, so recommended, was acceded to by both the parties in the middle of November. On the 20th of December, the Conference, without any communication with Holland, decided, that Belgium was to be erected into an independent State; a decision perhaps premature, and certainly most ungracious in its form and manner. On the 20th of January, the Ministers of the five Powers agreed to lay down articles of separation between the two countries, and which were proposed to both parties for their acceptance. After some difficulties, natural enough, considering the sacrifices he was called on to make, the king of the Netherlands acceded to all the concessions that were demanded; and on the 18th of February he gave in his full and entire adherence to those articles of separation. What, however, was the conduct of the Belgic government? Why, it returned a most insulting answer, and refused to accede to the terms which had been so decided upon. The Conference again met on the 19th of February, and declared, “That it continues to be understood, as it has been from the beginning, that the arrangements fixed by the Protocol of the 20th January, are fundamental and irrevocable. 2ndly. That the independence of Belgium shall not be recognized by the five Powers, except under the condition, and within the limits, which result from the said arrangements.” On the 17th of April, the king of the Netherlands still continuing firm in his adherence to the articles of separation, they were again proposed to Belgium for their acceptance, and the Commissioners of the five Powers were directed to inform the Belgian government, that the Conference had come to a decision upon the fundamental principles of the nine first Articles, which were to be considered as irrevocable and unalterable, and according to these Protocols the Conference again decided, that the independence of Belgium should not be recognized but on those principles. On the 10th of May, on the proposition of the French Plenipotentiary, the Conference came to the determination to limit the time to which the uncertainty of acceptance or rejection should endure, and the 1st of June was stated to be the utmost limit to which they would wait for the

adherence of the Belgian government, on which day, if the terms were not agreed upon, an absolute rupture of all relations with the five Powers should take place, the troops of the German Confederation were to enter Luxemburg, and the five Powers were to consider what further was necessary to be done in order to enforce the compliance of the Belgian government. He ought to have mentioned that, on the 21st of May, the Dutch Plenipotentiary gave notice, that the state of things as then existing could not be permitted to endure, and that, if the terms were not accepted by the 1st of June, the king of Holland would consider himself at liberty to act in such a manner as he should consider best for the interests of his kingdom. The 1st of June came; but no information as to the Belgians having accepted the Articles being received, on the 5th of June the Dutch Plenipotentiary inquired of the Ministers of the five Powers what it was their intention to do? At that moment a satisfactory answer was given; the Conference stating, that they adhered to their original determination, and that they were occupied in carrying it into effect. But at that time, however, some new transactions were in progress at Brussels, the success of which was thought by the noble Earl to be of more importance than the fulfilment of his engagements to the king of Holland; namely, the election of Prince Leopold to the Throne of Belgium. After this, the Belgian Deputation arrived in England; and the members of the Conference having determined to receive them, they, in concert with these Deputies, and without communication with the Dutch Plenipotentiary, drew up eighteen Articles, for the acceptance of both parties, which they substituted for the engagements of the former Protocols. In answer to the remonstrances of the Dutch Ministry, whose suspicions had been excited, these Articles were sent—one of the members of the Conference being the bearer, to the king of the Netherlands; and, at the same time, to the government of Brussels. The king of the Netherlands refused to accept these Articles; and his minister for Foreign Affairs gave his reasons for so doing in a detailed statement, which the noble Earl, as a man of honour and a gentleman, could not have read without burning blushes; for it was impossible to conceive a more triumphant paper than that put forth by M. Verstolk, as to the merit of

the claims of the King, his master, and of the justice of his cause, and the complaints which his Majesty the king of Holland was called upon to offer, with respect to the new propositions which were made to him. No situation of embarrassment could have justified the Government of this country in so gross a dereliction of all former engagements—the favourable consideration of which Holland was so particularly entitled to, in consequence of her acceptance of the former terms which were offered, and which had been so arbitrarily drawn up, without any concert with the King, and which he had no power of modifying. Having unconditionally accepted them, he was fully entitled to the support and protection of the Conference. But the sovereignty of King Leopold would not have been popular in itself, and therefore it was thought necessary to have a new set of propositions, which might render him acceptable to the people of Belgium. The king of Holland, he contended, had been most harshly and cruelly treated, though he had acted throughout the whole of these transactions with the utmost degree of fairness, candour, and good faith. The Belgian government accepted the twenty-eight Articles; but with what sort of faith? Before Prince Leopold accepted the Throne of Belgium, Luxemburg was not an object of negotiation. By the 28th Article, indeed, after it was decided that he should be King, it was made a matter of future negotiation—most unjustly, no doubt, but the result was left undecided. But what were the words of M. Lebeau, the now Foreign Minister of the king of Belgium, and who then enjoyed his confidence, and who was his principal adviser in this country—when he alluded to Luxemburg—when he announced to the Congress the coming of King Leopold? M. Lebeau said, with respect to Luxemburg—“You keep Luxemburg. I have for guarantee your right, the valour of the Belgians, and the word of the Prince. Yes, Gentlemen, the word of the Prince; for the moment is come to tell all. The Prince is determined to keep Luxemburg by every possible means; he makes it his own affair; it is for him a question of honour. Besides, does not he well know that Luxemburg is necessary to him? Without this province I defy any Prince to reign six months in Belgium. Gentlemen, the Prince will, and shall have Luxemburg.

He has declared that he will make war to have Luxemburg and Maestricht." When the king of Belgium arrived in Brussels, it was well known that he received the deputies from Luxemburg and Limburg with particular favour, and that, in fact, he had since acted up to what M. Lebeau had announced. But the noble and learned Lord talked of Luxemburg as not being any part of the possessions of Holland. True; it was the property of Holland, as a member of the Germanic Confederation. But was Limburg no part of Holland? was Maestricht no part of Holland? and were they to leave Holland in a worse condition with regard to territory there, than she was left at the Treaty of Munster. Much had been said of the last letter which had been addressed to the Conference, by the Ambassador of the king of Holland; but he would say, that the conduct of the king of Holland should be viewed as a whole, and that as a whole it was quite free from the imputations which the noble Earl had thought proper to cast upon it. The king of Holland had been deserted, when he ought to have been upheld—censured for his rashness, when he might have received credit for his firmness and patriotism—it was not to him a matter of surprise, that under a sense of continued injuries, he had felt it necessary to have recourse to arms. A reference to the whole course of the negotiations, from their commencement up to the present time, afforded a complete proof of that fact, and presented a full vindication of the conduct of the king of Holland. He would maintain, that the king of Holland had done nothing now, of which he had not given previous notice to the five Powers, through his Ambassadors, and more especially in the note of the 22nd of June, from the Dutch Plenipotentiary to the Conference, in which that Ambassador stated, that he was directed by his Sovereign to inform them, that any individual who should accept the Throne, without the Belgians, in the first instance, accepting the Protocols, must be looked upon by him as an enemy. On such grounds, and after such previous notice, it could not be denied, that the king of Holland was fairly justified in commencing hostilities. The last Ambassador that the king of Holland had sent to the Conference, he had sent at the invitation of the Conference itself, and in the letter of that Minister, to which so

much allusion had been made, he directly stated, that such was the case; and he further mentioned, that his Majesty was at the same time determined to assert his right by military means. The language of the Minister was:—"His Majesty is determined to support the negotiation by his military means; a determination become doubly imperative, since the late events have taken place in Belgium, where we have seen a Prince possess himself of the Sovereignty, without having previously fulfilled the conditions fixed by the Conference in their 12th and 19th Protocols; and who has sworn, without restriction, to a Constitution derogatory to the territorial rights of his Majesty and of Holland." Taking this last notice, in company with the previous declarations of the Dutch government, into account, he would assert, that it was an absurd mockery to say, that the king of Holland had not given full notice of his intention to enforce his rights by having recourse to arms. There was not, in fact, a shadow of proof of bad faith on the part of the king of Holland. On the contrary, he had a right to expect that the five Powers would co-operate with him, in asserting and maintaining his claim to the possession of Luxemburg. The noble and learned Lord on the Woolsack had spoken in terms of condemnation of attacking a defenceless neighbour without notice; but that condemnation could not apply to the king of Holland, for the Dutch government had given full notice of its intentions to Belgium. He maintained, that when they took the whole circumstances into consideration, there was not a shadow of foundation for a breach of faith on the part of the king of Holland in the whole of the transaction. In point of fact, too, there was no general armistice between the parties. From the impracticable conduct of the Belgian Deputies, it was found impossible to conclude any; but there was a suspension of arms and a local armistice at Antwerp. He repeated, therefore, he was not surprised that the king of Holland had again recourse to arms when he found himself insulted and betrayed by those who pretended to have interfered for his protection, and when he found every engagement entered into with him openly violated. He confessed, that it did the heart good, in the midst of so much injustice, to see how justly the rectitude of that Sovereign's conduct was ap-

preciated by his subjects—to observe with how much ardour they were disposed to support him—because they felt he had proved himself deserving of their loyalty and love. It was, therefore, with the highest satisfaction that he heard from the noble Lord there were some hopes, that the misunderstanding would be adjusted, and the mischief, which had already, unfortunately, been the consequence of past events, prevented from spreading into a much wider circle. He might here take leave to say, that he regretted much the Prince of Coburg had been persuaded from any quarter to accept the Throne of Belgium. When the Prince drew back from the fulfilment of another engagement of the same description, he recollected well, that the noble and learned Lord (the Lord Chancellor) held an opinion different from some of his friends, and expressed his satisfaction that the Prince had, in his peculiar situation, avoided such a cause of foreign entanglement. Even then, although fully sensible of the difficulties in which the course adopted by the Prince involved the government, he was disposed to agree with him; but how much more must he be of that opinion now, when the Prince had been persuaded to place himself in a situation which was likely to prove the most injurious to the interests of this country, that could possibly have been devised by any of its enemies? The *sine qua non* of all arrangements with respect to the future Sovereign of that country should have been, that they were to choose a person whose elevation would not be likely to embroil England with its ancient ally of Holland. And yet, the first step taken by the new King had produced that effect. The nomination had, in truth, every disadvantage that could be imagined. His royal highness must naturally look up to France as his ally and protector; and although the noble and learned Lord had expressed a fear that the Prince would not sufficiently separate himself from England, he apprehended, that the Prince had already removed all alarms on that ground, and proved how closely he found it necessary to connect himself with France. In his humble opinion, the new King should have applied to all the Powers of the Conference, and left to them, rather than to France, the decision of the question at issue with the king of Holland; for if there was any point of more importance than another, it was the preservation of

perfect unanimity among all the parties. Near, however, as the political connection of France and Belgium had become, according to M. Lebeau, who doubtless was in the secret, that connection was, through the means of a family tie, to become much closer. With this, however, he had nothing to do, except to observe, that it must still further affect this country and its connection with Holland; for Holland was with him the object of true national importance—Belgium he left wholly out of the account. He feared much, however, that the confidence and affection of the people of Holland—the firmest and the most faithful friends of this country—was gone, never to return. At no one period since the times of Charles the 2nd, had there been the same feelings of disgust and hatred engendered in the minds of the Dutch against England; and to such a height had it risen, that our Ambassador at the Hague, one of the most amiable and respected men he ever met with, had been actually shunned by every man, in consequence of the opinions entertained of the conduct of England by the people. The impression in Holland had indeed become general, that England did not desire to separate Holland from Belgium, but to annex Holland as a province to Belgium. He was one of the last men in that House who would attempt to throw any obstacles in the way of the negotiations, or do anything which could impede their successful progress; but if that House did not express an opinion with respect to them before the present proceedings were consummated, he would ask the noble Earl, at what time they were to express such opinions? When he saw all sympathy withdrawn from one of the most ancient Allies of this country, and every means taken to promote the success of the unconstitutional encroachments of a Revolutionary State, he could not, however, avoid expressing his opinion, that the Government was pursuing a course unjust, impolitic, unstatesmanlike, and un-English.

The Earl of Carnarvon said, that he should not attempt to follow the noble and learned Lord on the Woolsack, through the very discursive speech which he had addressed to their Lordships—a speech which had been a regular *Will-o'-the-Wisp*, and in which the noble and learned Lord had attempted to draw off their Lordships' attention, and the attention of those per-

sons to whom it might be hereafter made public, from that most interesting topic which was the object of discussion for that evening—a topic which had been considered, up to the present moment, as one most essential, and even vital, to the interests of this country. The entry of the French army into Belgium was a matter of the gravest importance to all Europe. If the Ministers should allow the French army to take possession of the Texel and Helvoetsluys, their doing so would be almost as pregnant with danger to this country as if they were permitted to take possession of Plymouth and Portsmouth. There was no part of our foreign policy, he would maintain, which was so essentially interwoven with the interests of this country, as the independence of Holland. The noble and learned Lord had asked, were they to go to war about every petty squabble on the Continent? But was it a petty squabble which carried 50,000 French troops into Belgium at the request of the sovereign? Was that no subject for alarm? Was it with the consent of the Conference, or even after a consultation with the other Powers, that the French government had taken such a step as that? The king of Belgium might, perhaps, have waited for a few days longer before he made the application which he had made to France; but his fears probably urged him to do so at once, and in making his application to France, there was no doubt that he consulted his own safety. At all events, by applying to France in the first instance, the king of Belgium had rendered himself free from the objection, which, in the opinion of the noble and learned Lord on the Wool-sack, might have previously attached to him—namely, that of his too great leaning towards, or too great a connexion with, this country. The noble and learned Lord had spoken of the inability of Prussia and Austria to go to war, in the present condition of their dominions, and in the general condition of Europe; but the noble and learned Lord was quite mistaken on that subject. The armies of both Austria and Prussia, if unfortunately they should be wanted for service, were never in a more complete or efficient state than at present. It was not by thus depreciating the resources of the other Powers of Europe that war could be avoided. That was an undignified style which had never been used by former Governments of this

country. They always held a firm and manly tone, and the tone of despondency which now appeared to be adopted, was not, in his opinion, calculated to uphold the character of this country in its negotiations. It appeared to him, that the noble and learned Lord had most unjustly assailed and insulted the king of Holland, who was our ancient ally, and whose only fault had been a little too much impatience—beyond what could be characterised as prudent. He thought, that such an attack, on the part of the noble and learned Lord was, to say the least of it, in very bad taste. The noble and learned Lord had exulted in the resources of this country, but was the possession of such resources any reason why we should insult, injure, and go to war with one of our most ancient allies? They had been told on a former evening, by a noble Lord connected with his Majesty's Government, that Portugal could no longer rely on the assistance of England. Was the same to be said now of another ancient ally of this country? Since the accession of the present Ministers to power, what was the feeling of Europe with regard to us? Why, that we were abandoning all our allies—that we were crouching to France—that we were yielding up our allies to their enemies, and that we were alone occupied at home in attempting to revolutionize our own country. It was somewhat amusing, to hear noble Lords on the other side of the House ridicule the authority of newspapers. It should not be forgotten, that but a few weeks ago, the same noble Lords called the newspapers, not the authors of their measures, which they might have done without any great departure from the truth, but they called them the echoes of the public feeling; and they appealed to them for a vindication of their own actions. The noble and learned Lord on the Wool-sack, on the occasion of the motion which had been brought forward in that House some weeks ago, with regard to a newspapers, had designated newspapers the echoes of the public voice. His Majesty's Ministers would now see how little they had got by following such echoes, and how little they had gained by becoming the echoes of such echoes. In conclusion, the noble Lord begged to say, that as it was stated, that the negotiations were not yet concluded, he should not vote for the Motion, or for the production of the pa-

pers in question. At the same time he wished to impress upon Ministers the absolute necessity of bringing their negotiations to a termination as speedily as possible, for he must say, that he considered the policy pursued by the present Government as most mischievous—tending to destroy those barriers in one part of Europe, which, at the expense of blood and treasure, former Governments had built up—leaving Portugal despoiled and helpless, and forbid to look with confidence to its ancient ally—and tending to compromise the peace and safety of this country, and of all the countries in Europe. They were about to depart from that line of policy which had been pursued towards Holland ever since the time of King William, and which had been considered, up to the present period as essential to the interests of this country, and much he feared, that such a great change from the best established maxims would be attended by the most dangerous consequence to the national welfare.

Lord *Holland* would not follow the noble Earl who had last sat down, through all the topics on which he had touched, but he could not help remarking, that that noble Earl, after having complained of what he called “the discursive speech” of his noble and learned friend on the Woolsack, had furnished by his own speech a complete example of such a species of oration. The subject of debates which had been more particularly noticed by noble Lords on the other side of the House, related to points of discussion in which his Majesty’s Ministers were at present precluded from indulging, and those noble Lords were not to take for granted all that they had stated, because the present was not the proper time for refuting it. He accordingly could not follow the noble Earls through the various topics advanced in their speeches. He admitted the classical knowledge of the one, and the great power of sarcasm and invective possessed by the other; he would not engage in any warfare with the noble Lords. The noble Earl (*Carnarvon*) might indeed have displayed extraordinary ability, and without being guilty, at least in his own opinion, of making a discursive speech, he might have repelled declamation with sarcasm; but those who would attack that noble Lord, would find that they waged a war, from which they could derive neither advantage nor fame. The noble Earl said, the

Ministers threw themselves upon the discontented; they did not throw themselves upon the noble Lord. The noble Lord said, they were endeavouring to maintain themselves in power by removing the cause of discontent, whenever or by whomsoever it might be expressed; the noble Lord would find, that they would not remove it as far as it related to him. He had also said, that the removing of the causes of discontent was the way to create excitement in favour of Ministers, but the noble Earl knew well, that in all instances his Majesty’s Ministers had not tried to get the discontented on their side. The noble Earl had referred to something which, on a former evening, had fallen from him with regard to Portugal. Owing to the state of his health, he had not been able, on the evening of the discussion with regard to Portugal, to give an explanation of the passage in his speech, which he noticed was then misunderstood. He had been subsequently obliged, therefore, to resort to a means to which he seldom had recourse, for the purpose of explaining it. He was ready to admit, that on account of the nervousness which sometimes affected him while speaking, he was not always able to retain exactly what he had said himself, or what had been said by others. He had never said, however, on the occasion to which he referred, that Portugal could not rely on the aid of this country. What he said was, that it could not rely on the aid of this country exclusively. He stated on that occasion distinctly, that such would be the case, and what he meant then to say was, that in consequence of our late conduct with regard to Portugal, we had estranged that party there which was attached to England from us, and that now, as Portugal would be likely to lean to two Powers—England and France—it was not likely that she would continue to lean exclusively on us. With regard to the subject before their Lordships, he must say, that the speeches of the two noble Lords who had preceded him, appeared to him diametrically opposite in their views and arguments, and he and his noble friends might spare themselves the trouble of answering either, for one of them had answered the other. The noble Lords in Opposition, instead of moving for papers by patches and piecemeal as they proposed, should at once have moved instructions to Government as to the mode in which

these negotiations ought to be conducted, or else have moved a vote of censure on his Majesty's Ministers. Their present course he could not forbear designating as very foolish or very mischievous. He did not intend to impute bad motives to any noble Lord, but he would say, that the speeches which they had delivered that evening, meant nothing but war, war, war, from the very commencement to the conclusion. They absolutely meant nothing short of immediate war—not a war on the narrow grounds which they had ostensibly suggested, but a desolating and revolutionary war, of which no man could foretell the end. And was there an honest man—was there an Englishman who considered the consequences of such a war, who did not feel, that everything ought to be done to prevent a cannon being fired in Europe? for, doubt there could be none, that the war which ensued would be on the one side revolutionary, and destroying in its progress all who now conducted it; and on the other side, anti-revolutionary, compromising all the governments of Europe, and commencing a struggle, the end of which no eye could possibly attain? In moving for those miserable papers, it was quite clear the object of the noble Lords was, to create excitement in Courts, in individuals, and throughout the country. The fact was, the noble Lords were thirsting for war [*no, no!*]. If they denied this, it must be said at the expense of their understanding. If the motion of the noble Lords succeeded in occasioning a change of Government, the inevitable consequences would be war. And if the noble Lords had not a change of Government in their contemplation, he could only say, that their motion was exceedingly ill-managed. With respect to the dependence of the Low Countries, he must remark, that military authorities, inferior only to the noble Duke (Wellington), and all statesmen, had agreed, that the Low Countries were not capable of maintaining a large army, but had a means of defence in their peculiar situation. It was clear, that they must always lean upon some greater Power; but a strong antipathy had always existed between the Dutch and Belgian provinces; it was not possible to amalgamate them into one state. He, therefore, much doubted the policy of uniting them originally, and he maintained they could not be reconciled. In conclusion, he said, the motion of the noble Lord had

no parliamentary or practical object. The noble Earls had talked of their having used strong and dangerous language at that side of the House; but he asked whose was the fault? The object of the noble Lord's Motion was three-fold—first, to provoke those on the Ministerial side of the House, to indulge in language which might be used as a handle against them; secondly, to urge Ministers into a premature discussion upon points, with which it was inconvenient, and difficult, and dangerous, for Ministers to expatiate; and thirdly, to get rid of the Reform Bill.

The Duke of *Wellington*, in explanation, declared, that he had not entertained the idea, that after what had taken place, Holland and Belgium could be reconnected. There were, however, several ways of settling the separation, and one was, that of placing Belgium under the government of a Prince of the House of Nassau. He would not now enter upon the subjects to which the noble Lord had alluded; many opportunities would occur, and he would be at all times happy to discuss these points with the noble Lord. The only observation he would make was, that he was thoroughly convinced the noble Lord had not read all the treaties.

Lord *Holland* felt indebted to the noble Duke for his candid explanation; it was no more, however, than was to have been expected from him. He begged to take that opportunity of saying, that by making it so explicitly and distinctly, he had done himself great credit, and rendered the House great service.

The Earl of *Carnarvon* said, that after the long friendship and intimacy which had subsisted between him and the noble Lord, he certainly had not expected to be attacked by him with the extraordinary degree of acerbity the noble Lord displayed that night. He would not, however, suffer himself to be led away by that. He would not forget the old kindly feelings which had subsisted between them—he would not forget the esteem and friendship with which, for so many years he had regarded the noble Lord, but that any discontent actuated his conduct upon the present occasion, or had ever done so during the thirty-seven years he had been a Member of Parliament, he, in as strong terms as he might possibly employ, did positively deny. And if any person present could assert it, let him stand forward and prove it of him. As to the cheering yells which accompanied the

unkind remark of the noble Lord, he considered them ungenerous, or he might almost say, ungentleman-like. When he said, the Ministers had thrown themselves upon the revolutionary and discontented of this country—and when the retaliation upon him, that he was one of the discontented, was cheered after a manner so unparliamentary, he received it with the contempt and scorn it merited. He had been attacked in a very unfair manner. During the thirty-seven years he had been a Member of Parliament, he never had received any thing from any Minister, for himself or any relative, nor any pledge or promise. The noble Lords with whom he had long acted, in support of the cause of religious liberty, would do him the justice to bear witness, that he had always been opposed to extensive Reform, considering that it was merely another name for revolution. He had acted conscientiously when he supported the great principle of religious freedom; and he acted conscientiously in the course he was then pursuing. What he felt strongly he would always strongly express, and notwithstanding the unkind taunts of the noble Lord, and the ungenerous and unparliamentary cheers of the noble Lords opposite, he would not be driven from what he esteemed to be the path of duty.

The Duke of *Richmond* begged to ask the noble Lord who had just sat down, whether, on a former occasion, at the dissolution of the last Parliament, he had not himself made use of personal expressions towards his Majesty's Ministers? Believing the noble Earl did, he must observe, that the noble Earl had no right, when he remembered this, to complain of vituperative language, or object to cheering.

The Earl of *Carnarvon* said, that the noble Duke had no right to complain of the expressions he alluded to. They were used hypothetically, and applied to no individual. On its being hinted, while he was speaking, that Parliament was to be instantly dissolved, he had expressed his disbelief of the report, because the person who gave such advice would be hung upon one of the horns of a dilemma, neither of which applied to the present Government. It could be no insult to any man to say, he did not believe he would commit an act which would expose him to the charge of folly or of crime, but if the noble Duke wished to ask him, whether he

now held the same opinion, and wished for an answer to his question, he regretted that, according to parliamentary usage, and consistently with the forms and dignity of their Lordships' House, he was prevented from giving him the answer it would properly deserve.

The Marquis of *Londonderry* replied, that after the patient hearing which their Lordships had already accorded him, he would not, at that late hour, add much to what had been already said on this subject. He did not regret having brought forward his Motion, because it would give the public an opportunity of knowing their Lordships' sentiments, and would tend more than any thing else to open the eyes of the country to these most important proceedings. As the noble Earl opposite had stated, that he felt it would be injurious to the public service to produce these papers, it was, of course, not his intention to press the Motion. He must, however, be permitted to make one or two observations; and first, with respect to the noble and learned Lord on the Woolsack, who had thought fit to allude to his brains, and to make some observations upon them, he begged to assure him, without putting himself in competition with him, that he should never be deterred by such observations, from doing what he considered to be his duty, as long as he had the honour of sitting in their Lordships' House. That noble and learned Lord, however, should be made to know, to use a homely phrase, that there were very many noble Lords in that House, who would always be ready to give him as good as he brought. At least, they would retort to the best of their abilities, when he indulged in satire and sarcasm; and for himself he would say, that the noble Lord would in vain seek to intimidate him. Although he did not pretend to lay claim to the stupendous talents, and flourishing powers of oratory, with which the noble and learned Lord was gifted, he would not sit still to be fired at, but would return shot for shot. He considered that he was fully justified in making the remarks he had ventured to address to their Lordships, on the Foreign Ministers at his Majesty's court, of whom he must take leave to declare, that he did not mean to speak disrespectfully. He had no doubt they were competent to the performance of the duties imposed upon them, and he must also beg to deny having made any disrespectful observa-

tions upon the relations of the noble Earl opposite, or any person connected with him, but when that noble Earl referred to a lamented relative of his, he had the right, at least, to call the attention of the public to certain documents, which were of importance, considering the individual from whom they proceeded. With regard to the appointment of the individual who had been alluded to, he assured the House, and he assured the noble and learned Lord on the Woolsack, that no person esteemed the private character of that individual more highly than he did, and he rejoiced that he had been appointed to the situation he now held, but he had had a fair right, considering the previous remarks, to make any observations he pleased with respect to the appointment of two of the noble Earl's relatives. With the permission of their Lordships, he would withdraw his motion.

Motion accordingly withdrawn.

HOUSE OF COMMONS,

Tuesday, August 9, 1831.

MINUTES.] Bill brought in. By Mr. SPRING RICE, to Repeal the Duties on Candles.

Returns ordered. On the Motion of Mr. RUTHVEN, of the different persons appointed to situations in the Excise and Customs, during the last year, specifying their Offices, Salaries, and Emoluments; and also, a return of such persons as have been nominated as Expectants, or to receive instructions to qualify them for Officers in their respective Departments; and for an account of all Officers in the same Departments, who have been Superannuated, and were now receiving Pensions or Retired Allowances, specifying the dates, amounts, and services of each individual.

Petitions presented. By Lord EBRINGTON, from the Merchants and Ship Owners of Bideford, for Repeal of the Stamp Duties on Marine Insurances. By Mr. RUTHVEN, from Protestant Freemen of Galway, for equalizing Civil Rights in that place. By Mr. WRIGHTSON, from the Bankers, Merchants, and others of Sculcoates, to return one Member to the House. By Mr. GEORGE PONSONBY, from the Roman Catholic Inhabitants of Ardfield, Rathbarry, and Youghal, against any further Grant to the Kildare Street Society; and from the Inhabitants of Youghal, to mitigate the Punishment of Death for Offences against Property. By Lord ACHESON, from the Inhabitants of Raloo, and Kilwaughter, to continue the Grant to the Kildare Street Society. By Mr. STEWART, from the Farmers of Kelso and Melrose, against the use of Molasses in Distilleries and Breweries. By Colonel Wood, from Merthyr Tydvil, praying to have a Member for that place by itself.

CORN LAWS.] Mr. Hunt presented a Petition from the Working Classes of Manchester, praying in very earnest terms for the entire repeal of the Corn-laws. The petition contained nothing disrespectful, although the petitioners spoke in their own plain language. It complained of the high price of corn, and said, the peti-

tioners were, in consequence, suffering great privations. It was signed by 25,000 or 30,000 persons. It had been stated, that petitions should not be printed, unless they conveyed some information to the House, and many Members were extremely fastidious as to the language in which they were couched, requiring them to be drawn up in a particular manner; but he considered these were minor considerations, for the real use of petitions was, to make known the feelings and opinions of the people.

Petition to lie on the Table. On the question that it be printed,

Mr. C. W. Wynn saw no reason why the present petition should not be printed, nor was he aware that any objection had been expressed.

Mr. Hunt had entertained doubts, because petitions of a similar nature, presented by him, had been considered offensive, and not allowed to be printed on that account.

Petition to be printed.

Mr. Hunt also presented a Petition from the Working Classes, belonging to the Westminster Political Union, praying for a total repeal of the Corn-laws. The petition was certainly couched in stronger terms than the last; and having characterized the Corn-laws as oppressive and injurious, it concluded with the exclamations of "Bread," "Bread," "Bread!" He hoped the House would not consider it offensive to its dignity to receive it.

The petition having been read,

Lord Althorp thought the language of the petition rather too strong to be received by the House.

Mr. Hunt admitted it was strong language, but it was true; and he must observe, that it was too much to expect from human nature, that men who saw their families and little ones expiring for want of food, should express themselves with cautious propriety of phrase.

Mr. Hume submitted to the hon. Member, that the language of this petition was too strong. Nothing could be so prejudicial to the right of petitioning, as the presentation of petitions like this, because the violence and absurdity of many of the expressions contained in it, were such as must create any other feeling but sympathy, for the alleged distresses of the petitioners. He hoped the hon. Member would withdraw the petition.

Mr. O'Connell said, though he would

not vote against the reception of the petition, he wished it to be withdrawn. Petitioners were not to be allowed to make an experiment as to how far they might trespass on the dignity or the patience of the House, by the violent and intemperate tone of their petitions, though stating facts which could not be denied.

Mr. *Hunt* said, he had so often expressed himself out of doors in the same terms as the petitioners, of the iniquities of the Legislature, that he could do no less than be the bearer of a petition of this sort to the House. He should, however, in compliance with the wishes of the House, now withdraw the petition.

Petition withdrawn.

HIGHWAYS BILL.] Mr. *John Wood* took the opportunity of asking the hon. member for Dorsetshire (Mr. *Portman*), whether it was his intention to proceed with the Highways Bill. The subject to which it referred was one of very considerable importance, and it was very desirable, that the course to be taken with respect to it should be known.

Mr. *Portman* was glad of the opportunity given by the hon. Member, for stating what it was he intended on the subject of the Bill. The Bill had been in the House since November last, so it could not be said, that there was any hurry with respect to it. His object in introducing it was, to correct some of the monstrous evils which had grown up with respect to the management of highways, but some hon. Members seemed to be of opinion, that it would not have, in its present form, the intended effect. Indeed, some of those evils to which he referred, were so monstrous, that he despaired of their being effectually remedied, unless the matter was taken up by Government. He did hope, therefore, that some measure would be introduced by the Home Department. One of the evils of the present system to which he referred was, the facility with which public and most useful highways might be stopped up by the order of two Magistrates, and the great difficulty of getting such order quashed by appeal to the Quarter Sessions. Another evil which he wished to correct was, the system of expenditure on highways, by which, at present, a surveyor might go to a favourite Magistrate, and get his accounts passed, without almost a possibility of appeal. He despaired, however, of being able to

carry the Bill through in the present Session; and if he should understand, that his Majesty's Government would undertake to introduce some measure on the subject in the ensuing Session, he would, on the proper occasion, move that his Bill be postponed for six months.

Mr. *Lamb* said, that before the next Session of Parliament, this subject would receive the most mature consideration of Government, and he had no doubt that he would be able to prepare a Bill on the subject, between this and the next Session.

Mr. *Briscoe* concurred in thinking, that the present system called loudly for a remedy. Under the existing laws, no appeal could be had against the decision for stopping up of a public highway, without an enormous expense. He was, therefore, glad to hear the subject was to be taken up by Government.

OUTRAGES IN IRELAND.] Sir *John Newport* moved for Copies of the Case, and the opinion of the Law Officers of the Crown, on the subject of the re-valuation of the benefices to the First Fruits Fund, as taken on an Address to his Majesty, of the 14th March last.

Mr. *O'Connell* wished to draw the attention of the only Law Officer of the Irish Government then present, to several statements of occurrences in Ireland which had come to his ear, and seemed to require explanation. He wished, that the right hon. Gentleman, the Secretary for Ireland, had been in his place, as he meant to ask, if he would allow the papers concerning these outrages to be laid on the Table. In his absence he would only say, that a party of Orangemen, on the 19th and 22nd of December, paraded the town of Maghera, in the north of Ireland, with symbols, flags, and Orange music playing, and had sung songs to provoke a breach of the peace. They afterwards came into the town with guns and bayonets, and committed gross outrages; wounding and stabbing some of the harmless women and children. They set fire to and destroyed the village. They took the furniture out of the houses, and set fire to it; they abused the old women, all the males having fled, with the exception of one, who had become an idiot, in consequence of having, upon a previous occasion, seen his father murdered by the Orange party. The damage

done to the poor inhabitants, amounted at least to 400l., and Government had sent down a Commission to try the offenders. Verdicts, it appeared, were given, all against the Roman Catholics, while not one Orangeman had been found guilty or punished. He should wish to have some information on this subject, and should have been glad to have been allowed to see the report of Mr. Perrin, who was sent down on the occasion by Government; but as the right hon. Secretary was not in his place, he must postpone his questions till a fitter opportunity arrived.

Mr. *Crampton* said, that the Secretary of Ireland was very much occupied in the performance of the official duties of his situation; but he was sure that right hon. Gentleman would have been in his place, had he been aware that any intention existed to ask for information. He (Mr. Crampton) was not able to answer the question put by the hon. and learned Member, but he informed the House, that several verdicts had been given, acquitting the parties accused of participating in the outrages described by the hon. and learned Member; and he did not think it fair for the hon. and learned Member to endeavour to impugn, by vague assertions, the verdicts of juries.

Mr. *O'Connell* said, that he had received his information respecting the outrages committed by the Orangemen from the very highest authority. He had also been informed, that the Crown prosecutor of Kilkenny had received instructions to challenge, previous to the swearing of the jury, every Roman Catholic.

Mr. *Crampton* begged leave to state, in the strongest possible terms, that no instructions of such a nature had been given by the Irish government, to the Law Officers of the Crown. Their zealous endeavour was, to do justice impartially, disregarding all party feelings.

Mr. *Leader* said, that he would be the last man to impugn the verdicts of Juries, but he knew that if unfair means were taken to compose Juries, suspicion would attach to their proceedings, and their decision would be looked upon with contempt and aversion. As a Protestant gentleman, residing in Ireland, he felt great anxiety on this point, for he was satisfied that much of the peace and tranquillity, or the turbulence and discontent, of the people, depended on it. Living in a large

Catholic province, with a population of 50,000 Roman Catholics close around him, he must say, that nothing could be more injurious to the Protestant, than to insult the Catholics. If it were true, that the Crown Prosecutor in Kilkenny had passed by Roman Catholics in the formation of Juries, the conduct of that officer had been most disgraceful, and must have been, he was sure, in violation of the orders of Government.

Mr. *James E. Gordon* did not think that much reliance was to be placed on loose reports of occurrences which took place in Ireland; and he would give the House a specimen of their inaccuracy. It had been stated in that House, by the hon. and learned Member, that the Grand Jury of Carlow had drunk the following toast:—"Our heels on the necks of the Papists." When he heard that statement made, he lost no time in writing to Ireland, to inquire whether there was any truth in the report, and he received in answer a direct contradiction. A letter had also appeared in the newspapers, signed by Colonel Rochford, the Chairman of the Grand Jury, and another gentleman, who had formerly been a Member of that House, distinctly denying the truth of the statement. This was a specimen of the general inaccuracy of the statements made in that House respecting transactions in Ireland.

Mr. *O'Connell* said, he was ready to substantiate every word which he had said, and a great deal more, by sworn testimony at the bar of the House. Colonel Rochford did not deny in his letter that the toast had been given, but only said, that it was not drunk while he was in the chair. He thought that the hon. Member who had accused him of inaccuracy, ought himself to have been more correct in stating the contents of Colonel Rochford's letter. He was ready to prove, at the bar of the House, that the four following toasts were drunk in the Grand Jury Room at Carlow, in the presence of three or four Magistrates who were members of the Jury. They took little pains, indeed, to conceal their opinions or the course they were pursuing, for the doors were thrown open, so that every body in the town might hear and see. The toasts were "Captain Graham, and the brave Yeomanry of Newtonbarry,"—"Our heels on the necks of the Papists"—"The Pope in the pillory in hell, and the devil pelting

him with Priests" and "the glorious and immortal memory of King William." The hon. and learned Member lamented the prejudices and bigotry of the Roman Catholic peasantry of Ireland as much as any man, yet he could not think they were so ignorant and superstitious as to believe, what an hon. Gentleman had sworn, in evidence presented to that House, viz. that the Roman Catholic Priests could turn them into hares and goats.

Mr. *James E. Gordon* said, that he had only sworn, that it was reported in Ireland that the peasantry held such a belief; but he had not sworn that he believed that report. In the letter to which he had alluded, it was stated, that no toast of the nature described by the hon. and learned Member was drunk by the Grand Jury of Carlow.

Mr. *O'Connell* admitted, that the Grand Jury, as a body, did not drink the toast, because the foreman had previously left the chair; but he still asserted that it was drunk in the room.

Mr. *Kennedy* expressed his regret, that the hon. member for Dundalk should have been betrayed into the use of observations which were likely to fan the flame of religious and party animosity in Ireland, and he also lamented that attempts were made to excite religious animosities in Scotland, where there were many thousand Roman Catholics. The Committee who drew up the petition against the grant to Maynooth College, were also recommended to present a petition praying for the Repeal of the Catholic Relief Bill, but they refused. When he heard the remarks of the hon. Gentleman, he must say, that however much he respected his zeal, he doubted his discretion.

Mr. *Blackney* said, he felt confident that the statement of the member for Kerry, with respect to the Carlow Grand Jury, was correct. He firmly believed these toasts were given and drunk by many of those who composed the Grand Jury, and some opportunity ought to be afforded for proving the statement. The Commandant of a Corps of Yeomen was present at the time and was actually a member of the Grand Jury impelled to try five or six of his own corps, who were indicted for firing on an inoffensive people. Was such a state of things to be endured? The same Gentleman also acted as croupier upon this occasion, and

he was the person who gave the toast of "Captain Graham and the brave Newton-barry Yeomen."

Mr. *Stanley* regretted, that he was not in the House at the commencement of the present conversation, but he hoped the indulgence of the House would be extended to him, when they heard that he was daily engaged in the performance of the official duties of his situation from nine to four o'clock. Had he been aware that any hon. Member intended to ask any questions with respect to Ireland, he would certainly have been in his place. He said, that he had no objection to the production of the papers desired by the hon. and learned Member. With respect to the transaction stated to have taken place in the Grand Jury-room at Carlow, he had to inform the House, that inquiries had been made, whether the offensive toasts mentioned by the hon. and learned Member had been drunk at all, and if they had, whether they had been drunk by persons holding any situations under the Government. He had received a letter from the Foreman of the Grand Jury, in which that gentleman stated, that he remained in the chair until half-past nine o'clock, and up to that time no such toasts had been drank. The gentleman added, that he would not have allowed them to be proposed in his presence. He (Mr. Stanley) thought, that as the company continued together till late in the evening, it was not improbable that toasts of a violent character were proposed by persons who ought to have known better; but from the information which he had received, he believed that those toasts were not proposed by Grand Jurymen or Magistrates, but by some persons present in the character of guests. A very large portion of the party refused to drink the toasts, and expressed their abhorrence at the introduction of such toasts in a public assembly. It was true, however, that these toasts were drank by a part of the Grand Jury, but he believed that all the persons concerned in the matter were heartily ashamed of their conduct next morning. He did not think, that the case called for any further investigation on the part of Government, and still less for official inquiry at the Bar of the House.

Mr. *Blackney* said, that the governor of the county was a principal actor in those obnoxious proceedings.

Mr. *Sheil* was aware, that the right hon.

Secretary for Ireland was much occupied in attending to the English Reform Bill, but he begged to remind the right hon. Secretary, that it was his duty to make the affairs of Ireland his principal consideration; and he considered, that it would be advantageous to the country if the right hon. Gentleman should always be present in the House when the affairs of Ireland were discussed. It was of the utmost importance to the peace of Ireland that official information should be given with respect to all transactions in that country. It appeared, from the right hon. Gentleman's statement, that there was some foundation for the charge, which had been denied, in a tone of imperious contradiction, by the hon. member for Dundalk.

Mr. *James E. Gordon* observed, that what he had denied was, that the toast was drunk by the grand jury.

Mr. *Sheil* said, that at all events it was drank in the Grand Jury room, if not by the Grand Jury themselves, at least by their compotators. This affair had justly been a source of regret to the right hon. Gentleman opposite, who had expressed his conviction, that the parties would be ashamed of their conduct on reflection, and that their blushes would be mingled with those of the succeeding morning. But he wanted to know, whether the men who had so conducted themselves were Magistrates, and how long they were to be allowed to continue in such a situation? He entirely concurred with the observations made by the hon. member for Dundalk, that assertion and the fact very often widely differed, and he found a complete verification of the hon. Member's remark, when he went to the library and looked to the evidence which had been alluded to by the hon. and learned member for Kerry (Mr. O'Connell). The hon. and learned Member had charged the hon. member for Dundalk with being peculiarly addicted to credulity, and with believing, that a large portion of the peasantry of Ireland were firmly convinced, that a sort of sacerdotal metamorphosis could be performed, and that they could be all converted into goats and hares by the power and magic of Priests. The hon. Member had denied this charge; but he begged leave to refresh the hon. Member's memory by reading an extract from his own evidence. In answer to a question put to the hon.

Member, whether he had heard that any portion of the people believed that their Priests could turn them into goats and hares, the hon. Member answered, that he had no personal acquaintance with such instances; but that he had no doubt whatever of their existence. Now he begged to be permitted to entreat the gallant Member, not to avail himself of the seat which he possessed in that House, as Representative for Dundalk, a town containing 15,000 Roman Catholics, for the purpose of persevering in that course of theological controversy which he had, no doubt honestly and zealously, pursued in Ireland. That House was not an arena for theological controversies and scholastic discussions.

Mr. *Stanley* assured the hon. Member, that he felt no want of interest for the affairs of Ireland. He said, that the toast "Captain Graham, and the brave Yeomanry of Newtownbarry" was not denied to have been drunk, but those more violent toasts were disclaimed; and the persons sent down to investigate the affair had doubts whether they were drunk or not. Certainly they were not drunk, if at all, till very late in the evening.

Sir *Robert Peel* was sorry, for the peace and tranquillity of Ireland, that this debate had arisen. It was inconvenient, that statements made in the House, and tending to produce animosity abroad, should remain for many days without receiving any answer. One of the statements of the hon. and learned Gentleman (Mr. O'Connell) was, that a village in the north of Ireland had been set on fire, the furniture of the inhabitants burned, and the aged women who were there, inhumanly used, no male remaining in the place, except one who had lost his intellects. Now this was a charge of a most serious nature. The second statement was, that, on a late trial in Kilkenny, the Crown Solicitor directed every liberal Protestant to be set aside, and every Roman Catholic on the panel to be objected to. The third statement related to certain toasts, one of which was, as stated, "Our feet on the necks of the Papists." Every person must see, that things of this kind, remaining without an answer for any length of time, were calculated to produce serious mischief. The hon. and learned Gentleman (Mr. O'Connell) was perfectly justifiable in making those statements, but it would be more convenient, and far

better for the real interests of Ireland, if he gave some previous notice of his intention.

Lord *Tullamore* said, as member for the town of Carlow, he, of course, felt some interest in this subject. He had many communications upon it from Ireland. "The Glorious Memory of King William," and "Captain Graham, and the Newtonbarry Yeomanry," were drunk, but not the other objectionable toasts. If they were drunk, it was at a late hour, when the majority of the Grand Jury had gone away.

Mr. *James E. Gordon* said, that it had been attempted to fix a contradiction upon him by a reference to his published evidence. He could assert, without fear of contradiction, that he had never sworn that he believed that the Roman Catholic Priests could turn people into hares and goats. He had only sworn, that the people believed that the Priests possessed such power. Were there no Irish Members present who were acquainted with that local feeling, or were there any that would say that it did not exist? It had been observed, that he had come into that House by some fortuitous circumstances. He would tell the hon. Member who had made that observation, that it was one unbecoming a Member of the House. He stood in that House with as clean hands as the hon. and learned Gentleman, and would discharge his duty honestly and conscientiously, in spite of any taunts or innuendoes which might be indulged in by the hon. and learned Member, or any other person. Whilst he had the honour of a seat in the House, he would exercise his unquestionable right as a Christian and a gentleman. He claimed the respect which the House owed to each of its Members, without being taunted in a manner which was unparliamentary, and which he might designate in another manner, but that he disdained to do so.

Mr. *Sheil* said, that the hon. Member had totally mistaken what had fallen from him. He had not insinuated that the hon. Member had come into the House by improper means. He merely said, that he could not conjecture how the gallant Member became the Representative of a town containing 14,000 Catholics. He could not avoid expressing his astonishment, that the hon. Member, who talked so much about Christianity, should allow his Christian spirit to be so soon soured.

"Tantæne animis cœlestibus iræ."

The Motion to which Mr. O'Connell referred in his speech, having been acceded to by Mr. Stanley, was agreed to.

BELGIC NEGOTIATIONS.] The Speaker having called upon Sir Richard Vyvyan,

Viscount *Palmerston* said, that he begged to submit to the consideration of his hon. friend, whether, under the peculiar circumstances of the present moment, it would not be expedient to postpone the motion of which he had given notice. The grounds on which he ventured to propose that his hon. friend should take this course were, first, a circumstance which was known to all the world—the extraordinary and critical state of those affairs to which the intended motion referred. It was well known, that the king of the Netherlands had decided, without any previous notice, to commence hostilities. As soon as information of this circumstance was received in London, a communication was made to the king of the Netherlands, to which, as yet, no answer had been received. The Government would, therefore, be placed in a most difficult position by the discussion to which the motion of his hon. friend would lead. He did not, at the present moment, know whether the king of the Netherlands would recommence negotiations which would lead to peace, or continue his warlike demonstrations. If the negotiations should be continued, as he could not but hope they would, the five Powers concerned in them would naturally act as mediators between the hostile parties. Under these circumstances, he submitted to his hon. friend whether it would be convenient, with respect to the course of these negotiations, to drag him, as the organ of one of the five Powers in that House, into discussions involving opinions as to which of the parties might have been right, and which wrong? Such a course must be attended with inconveniences, which his hon. friend would be the first man to regret. He, therefore, submitted to the consideration of his hon. friend, whether it would not be advisable to postpone his Motion, on the grounds which he had stated, namely, the critical state of affairs generally; and next, that until the Government knew what course the king of the Netherlands would pursue, the Motion would place Ministers in circumstances of difficulty which he really thought hard. As far as his per-

sonal convenience was concerned, he could assure his hon. friend, that he was just as ready to enter into the discussion then as he would be at any other period. He wished the Motion to be postponed on public grounds alone.

Sir *Richard Vyvyan* said, he would not conceal that his intention was to have attempted to lead his noble friend into discussion, which would tend to explain the conduct of the British Government, but he admitted, that the fact stated by his noble friend, namely, that he had not as yet received an answer to the communication he had made to the king of the Netherlands, was of sufficient importance to induce him to postpone his Motion, though it would be for only a very short period. Nevertheless, he could not conceal from his noble friend, that he thought that the king of the Netherlands had been most unfairly used, as he would attempt to prove, when the conduct of the Conference should come fully before the House. Hitherto the king of the Netherlands had not been defended in that House. That monarch had been attacked and calumniated, and he wished, therefore, that an opportunity should at length come, when the charges which had been brought against him might be investigated, so that it might appear whether he was the tyrant which he had been described to be, or whether, on the contrary, he had not acted as an enlightened monarch, anxious to promote the welfare of his people. In consequence of what had fallen from his noble friend, and expecting that a communication would take place almost immediately, between the government of the Hague and the Conference, he would consent to postpone his motion to Thursday.

Lord *Stormont* said, he had heard that the French had laid an embargo on the Dutch vessels in Dunkirk. As that act was an act of war, he wished to know whether the Government had received any information on the subject.

Viscount *Palmerston* replied, that he had received no official information on the subject.

Captain *Boldero* wished to know whether the Government of England had been so short-sighted as to overlook the possibility of the Dutch commencing hostilities? It was evident, that both the Netherlands and France had been prepared for the event, for they had each marched their armies.

Lord *Milton* begged the hon. Member to consider the inconvenience which must result from provoking a discussion on a subject of such magnitude, and involving questions of the most delicate nature.

Captain *Boldero* said, that the magnitude of the subject was his best excuse for calling the attention of the House to it. He wished to know, whether there was not a distinct understanding between France and England, that, in case of the Dutch entering Belgium, those two Powers should unite to drive them out.

Lord *Milton* rose, to implore the noble Secretary for Foreign Affairs not to give an answer to the question proposed by the hon. Member. He knew it was the right of the House to judge of the bygone conduct of an Administration on any subject, but he could not go the length of thinking that the House of Commons ought to become a part of his Majesty's Privy Council with respect to the important matters which had been referred to.

PROTECTION OF THE BRITISH IN THE BRAZILS.] Mr. *Dixon* wished to be informed, whether any communication had reached his Majesty's Government relative to the situation of British merchants in the Brazils, since the recent changes in that country, and whether any steps had been taken for their protection and security? He understood the quantity of British merchandize at Rio was very great, and when the last accounts came away, there was only one English ship of war there.

Viscount *Palmerston* said, that his Majesty's Government had, undoubtedly, received communications that the revolution in Brazil had been attended with circumstances which led the British merchants at Rio and Bahia to apprehend some danger to themselves, and Mr. Aston, the British Consul, had been applied to, and had detained a ship of war at Rio, which had been intended for another destination.

Mr. *Dixon* begged to ask, in order to allay any apprehensions that might be felt, whether the Government had sanctioned any other measures to secure the British residents in Brazil?

Viscount *Palmerston* answered, that another ship of war had received orders to proceed to Rio, and would speedily arrive there. With respect to the general question, the hon. Gentleman might be assured

that his Majesty's Government would take all steps which were due and proper for the protection of his Majesty's subjects, in whatever quarter of the world.

Captain *Boldero* again rose to repeat his former question, namely, whether, in the negotiations which had taken place between France and England, preliminary to placing Prince Leopold on the throne of Belgium, those Powers had overlooked the possibility of hostilities being commenced by the Dutch? and whether they were prepared, by force, to maintain the rights of Belgium?

Viscount *Palmerston* said, that to the hon. Gentleman's first question he was quite ready to give an answer. By France and England, the hon. Gentleman, of course, meant the five Powers. The hon. Gentleman asked, whether the five Powers—[Captain *Boldero*: "The two Powers."] Well, he would answer for the five. The five Powers, including France and England, had not overlooked the possibility that the armistice which had been concluded might be broken, either by the Dutch or the Belgians.

Mr. *Wrangham* wished to know from the noble Lord, whether the representative of the king of Holland had not, when in this country, made some communication to his Majesty's Government, either in writing or verbally, that the king of Holland would feel it his duty to prosecute, by hostile measures, his claims upon Belgium?

Viscount *Palmerston* said, that the Plenipotentiary of the king of the Netherlands had not made to him, nor to the Conference, any communication, verbally or in writing, which led them to suppose that the King, his master, had any intention of marching his troops beyond the frontiers.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—NINETEENTH DAY.] On the motion of Lord Althorp, the House resolved itself into a Committee of the whole House, on the Reform of Parliament (England) Bill.

The *Chairman* put the question, that the clause that "Each of the towns of Portsmouth, Rochester, and Kingston-upon-Hull shall, after the end of this present Parliament, return two Members to serve in Parliament, jointly with the other places respectively, as described in schedule E to this Act annexed," stand part of the Bill.—Agreed to.

The *Chairman* then read Schedule E. On coming to the words, that Kingston-upon-Hull, including Sculcoates, Yorkshire, should stand part of schedule E,

Mr. *Goulburn* said, he had no connexion with the place, but, in consequence of what he had said on a former occasion, he had received a communication from Sculcoates, which had furnished him with some valuable information. He confessed he was so ignorant of that part of the country, that he had never even heard of the name of the place, until the discussion arose on this Bill. He had then thought that Sculcoates was sufficiently separated from Hull to entitle it to return a Member for itself, as Gateshead had been permitted to do. He did not see any reason for making the distinction, or to prevent that place being put on the same footing as the favoured town of Gateshead. It appeared to him, that the arguments urged against uniting Gateshead to Newcastle, applied, in a much stronger degree, to the case of Sculcoates with Hull. Sculcoates was under a separate jurisdiction from Hull, and was situated in a different county—the one being in the county of Kingston-upon-Hull, the other in the East Riding of the county of York. The two places were separated also by docks, making the towns quite distinct from each other. If Ministers were, therefore, prepared to grant a separate Member to a town situated in a peculiarly favoured county, they could not, in accordance with the principles they professed to act upon, refuse a Member to one placed in nearly the same circumstances. Sculcoates contained a larger and more respectable population than Gateshead, and was a place of more importance. If Ministers, therefore, really desired to give protection to the shipping interest, they could not choose a better place than Sculcoates, which was inhabited chiefly by merchants and ship-owners. He trusted, therefore, Ministers would reconsider this case.

Lord *Milton* said, he was not well acquainted with Newcastle, therefore he would not speak with certainty as to the localities of that place, but he understood Gateshead was separated from it by the Tyne. That case was different from Hull and Sculcoates. It was very difficult to determine the boundary-line between them; and most assuredly, a stranger would consider them one and the same place. They ran into one another, like London and

Westminster. He could not conceive, therefore, there was any necessity for an additional Member for Sculcoates, for there was only a nominal line of separation between the two places, and a complete identity of interest.

Mr. *Wrightson* said, he was well acquainted with all the local circumstances of the two places. He was ready to admit, there was a material difference between the cases of Sculcoates and Gateshead. The great body of the merchants of Hull lived in Sculcoates, and it was hardly possible, that any circumstances should arise which could tend to a clashing of interests between them. It would be as difficult to discover their physical as their moral boundaries. This was not the case with regard to Newcastle and Gateshead. The House was probably aware, that a considerable portion of Hull was occupied by docks; and he believed, the boundary line passed through the middle of them. The population and wealth of Sculcoates had of late very rapidly increased. In 1821 it was 10,000; and, according to the recent returns, it was 14,000. There was no particular desire that the places should be separated for the purposes of Representation; and, if a third Member was to be granted, the general feeling, he believed, would be in favour of three Members for the two places jointly. This, however, he was quite sure, that such was the feeling in favour of Reform in the town of Sculcoates, that the inhabitants would be prepared to make this, or any other sacrifice, rather than the success of the Reform Bill should be rendered doubtful.

Mr. *Goulburn* said, the letter he had received from Sculcoates contained very different sentiments from those expressed by the hon. Member; for, according to that, a very strong feeling existed in the place in favour of having a separate Member. He was told, the boundary line was formed by the docks which had been constructed on what were formerly the walls of Hull; so that no doubt or dispute could arise on that point. Sculcoates was governed by its own Magistrates, which were those of the East Riding of York. The Magistrates of Hull exercised no power whatever in the town of Sculcoates, which was increasing in importance every day. In his opinion, this was a very strong case, and they were bound in justice to give a separate Member to the town.

Mr. *Hodgson* differed entirely from the views taken by the right hon. Gentleman. The circumstances of Sculcoates and Gateshead were very different; still all the facts of the case had not been stated. It was obvious that, although Sculcoates was not within the county of the town of Hull, yet it was an offset of the latter place still closely connected with it, and had the same interests. Gateshead was separated from Newcastle by a wide river, and they were in separate counties. It should be remembered also, that Hull, although it was a town and county in itself, yet was virtually a portion of the East Riding of Yorkshire.

Mr. *Wingham* would not put his local knowledge of the towns in question in competition with that of the hon. Gentleman who represented Hull, and who spoke last but two; but he had, notwithstanding, some knowledge of the two places. He had presented a petition on this subject some days ago, and had then stated, that this was a case worthy of the attention of the Committee. Hull was built upon a point of land at the confluence of the rivers Hull and Humber: at a certain distance from the point of meeting of these two rivers was the boundary of Hull. Beyond that line stood Sculcoates; and it was obvious, that all further increase must take place on the side of this town. When, therefore, he considered the importance and situation of the place, and remembered that a Representative had been granted to Gateshead, he saw abundant reason to give to Sculcoates the same privilege. Every argument urged in favour of the former applied equally to the latter. It had been said, that Gateshead was in a different county from Newcastle; that it had a separate jurisdiction; that it was daily increasing—all these circumstances were precisely similar at Sculcoates. With regard to population, it was triumphantly said, Gateshead had 12,000 people. To this he should only answer—Sculcoates had 14,000. Independent, however, of all these favourable considerations, there was one, which had been relied upon as unanswerable, to prove, in the case of Sudbury, that the borough of that name, and the hamlet, were separate; and that was, the existence of two separate paying Acts for the two places. That was also the case with the borough of Hull, and the town of Sculcoates. This was, however, a stronger case altogether than that of Sud-

bury. He had turned over the Statutes, and found two distinct Acts, passed within a short period of each other, one relative to the paving and lighting of the town of Kingston-upon-Hull, in the county of Hull; the other, for paving and lighting the town of Sculcoates, in the county of York. When the noble Lord was informed of this case, it would, no doubt, change his opinion, for here they had the fact of difference of county assigned as a reason for the different Acts.

Lord *Althorp* said, the argument of the hon. Member would not produce the effect upon him which he seemed to anticipate. There was no parallel between this case and that of Sudbury; and the opinion he had delivered when that case was under consideration, had been confirmed by all that he had since heard. He had received a letter from a professional gentleman, who had been engaged in a suit respecting some property which was situated both in Sudbury and the hamlet of Ballingdon; and he stated, there was a legal decision which determined that the hamlet was entirely distinct from the borough. With regard to the question before the Committee, it had been admitted by the hon. Member, that Sculcoates and Hull were so united, that the latter could not further increase from the position of the former. This argument, if it proved any thing, could only prove the intimate connexion between the two places. The situation of Gateshead, as had been before observed, was entirely different, for a large river flowed between that place and Newcastle. Again, there was no difficulty, from the situation of Gateshead, to prevent Newcastle from increasing greatly. There was a complete separation in one case, and only an imaginary line in the other. Hull and Sculcoates could only in reality be considered as one town, although there might be a partial separation, from the position of the docks; and, for the purpose of Representation, they should be perfectly justified in considering them as one. It had been stated, that the merchants and shipowners of Hull resided generally in Sculcoates, and that Hull was for the most part occupied by persons engaged in the business of the port; and it had been said, that the same was also the case with Gateshead. This was met by the hon. member for Durham declaring, that no one would live in Gateshead, who could possibly live in the beautiful town of Newcastle. He

must confess, he had heard no reasons urged that would induce him to adopt the proposition of the right hon. Gentleman. He wished further to observe, that Ministers had considered, under very different aspects, the questions of disfranchisement and enfranchisement. In the latter case, they had looked out for interests which did not appear adequately represented, and where a competent constituency could be obtained; while, in the former case, their object had been, to get rid of inconsiderable places, which at present returned Members. After the decisions with regard to Dorchester and Guildford, it would not have been just or expedient to give way in the case of Sudbury, as that town was evidently not better entitled to Representation than they were. He had certainly, at first, entertained some doubts with respect to Sudbury, but afterwards, on investigating the evidence, these doubts were wholly removed.

Mr. *Goulburn* said, the noble Lord had given no reason why Newcastle and its suburb should have three Members, while Hull was only to have two. He continued to think, and would declare, that the rules laid down as applicable to Gateshead were wholly departed from in the case of Sculcoates. The fact that the latter place must evidently increase in size and importance, with the increase of the trade of the port of Hull, was an additional argument in its favour, particularly when coupled with the circumstance, that the place was principally occupied by the more respectable classes, and which was directly at variance with Gateshead, and very much to the advantage of Sculcoates. It had been stated by the hon. member for Durham, and quoted by the noble Lord, that no person would stay at that place, who could live in the neighbouring town of Newcastle.

Lord *Althorp* would again state, in reply to the right hon. Gentleman, that Newcastle and Gateshead were entirely independent of each other, while Hull and Sculcoates must necessarily be united from their situation.

An *Hon. Member* said, he had some local knowledge of all the places in question, and he should say, that Hull and Sculcoates were situated, in relation to each other, as London and Westminster, while Gateshead and Newcastle might be compared to Southwark and London.

Mr. *Goulburn* was happy to hear the distinctions drawn by the hon. Member.

Newcastle and Gateshead, being like London and Southwark, were to have separate Members, and as Hull and Sculcoates were similar to London and Westminster, they ought, by the same rule, also to have separate Members. He therefore looked for the support of the hon. Member.

Lord *Milton* said, that Sculcoates and Hull were, practically speaking, the same place, although situated in different counties nominally, for the county of Hull was within the county of York. If the paving Acts were relied on on one side, he must, as a set-off, plead the Dispensary which was common to both, on the other.

Lord *Morpeth* would not have opposed Sculcoates having a separate Member, had it been originally proposed in the Bill, but he thought that place would be adequately represented by being united with Hull. As a Yorkshireman, he should certainly agree to any proposed increase of Members for that county; but, if his opinion on the question before them was asked, he should say, there was not a sufficient distinction and separation between the two places to entitle Sculcoates to a Member. He had reason to believe, there was not a very strong feeling in the place on this subject, for he had addressed a large assembly there, who were generally in favour of the Reform Bill, and he had heard not a word on the subject of a separate Representative. The right hon. Gentleman had himself furnished the strongest argument against his own proposition, when he declared he had never heard of the name of Sculcoates, until this Bill had been brought forward.

Mr. *Wrangham* said, that Gateshead was situated in Durham, which had been highly favoured by this measure, while the county of York had received a very small addition to the number of its Representatives. As a matter of grace, therefore, the noble Lord might yield in the case of Sculcoates.

Question agreed to.

The next proposition was, "That Penryn and Falmouth stand part of schedule E."

Mr. *Freshfield* said, that Ministers proposed to add Falmouth to Penryn, an arrangement which was by no means beneficial to his constituents. His object, therefore, in rising, was, to have Penryn separated from Falmouth. The noble Lord, in proposing this union, assigned as a reason for it, that the two towns were

prosperous and flourishing. Such certainly was the fact; but he thought, that that circumstance, instead of calling for the union of the two places, rather demanded that each should have the right of returning Representatives. Within the last century, the number of voters for Penryn had risen from fifty or sixty to near 500; they were mostly freeholders, and he believed, that no body of men exercised the elective franchise more honestly. The object of the noble Lord was, to procure a good and efficient constituency, and, therefore, he proposed granting the franchise to all 10*l.* householders. He, however, was inclined to think, that the noble Lord never would, by any plan, create a better constituency than that which now existed in Penryn, and which consisted chiefly of scot and lot voters. It should be observed, that there was a very considerable rivalry between Penryn and Falmouth, and the union of the two places would, of necessity, give the preponderance to Falmouth, and the whole would be under the influence of Government.—A very great hardship was also likely to be inflicted on Penryn, under the 24th section of the Bill. By that section, the Commissioners appointed to mark out the electoral boundaries, were imperatively directed to annex adjoining townships, &c., to cities or boroughs containing fewer than 300 houses, &c., rated at 10*l.* Now, he doubted very much whether Penryn and Falmouth contained so many; and, if such were the fact, the Commissioners would be obliged to have recourse to the adjoining district. In the column opposite to Penryn, he found Falmouth simply mentioned. Now that, he conceived, was not a definition sufficiently clear and explicit. In fact, it might let in the whole rural population of the district of Falmouth. As they were both flourishing towns, he thought that they ought respectively to return Members. He should, therefore, move, "That the borough of Penryn do continue to send two Members to Parliament, to be elected by resident freeholders, and inhabitant householders paying scot and lot;" and, at the proper time, he should propose, that Falmouth should also enjoy the right of sending Members to Parliament.

The amendment having been put,

Lord *Althorp* said, the question to be considered was, whether it was advisable

to give Parliamentary Representatives to both these places. Ministers had not deemed it necessary to do so, and had taken the present course, in obedience to the peculiar circumstances of the case. If they had acted otherwise, and adhered to the rule of population, which they had laid down, Penryn could have sent but one Member to Parliament, but by uniting it with Falmouth, two Members would be returned. The hon. Member had spoken of the great respectability and purity of the electors of Penryn, but he must recollect a case relative to that borough, where the hon. Member was agent, before a Committee of that House, which disclosed facts that did not bear out the hon. Member's statement. With respect to what the hon. Member had said on the subject of seeking for a constituency in the neighbouring districts, the fear which he had expressed on that point was groundless, because he was quite certain, that more than 300 houses of 10*l.* rent would be found in the two places.

Mr. *Charles Stewart* did not rise to oppose the motion before the Committee, because he confessed, according to the line of population laid down by his Majesty's Ministers, that the borough of Penryn would not be entitled to return, exclusively, two Members to this House; still he must protest, in the name of his constituents, against any measure that would deprive them of that share in the Representation of the country, which they had possessed for so many centuries. There could be no doubt, that the town of Falmouth, which was to be joined to Penryn, was a most important sea-port—that it contained a large, intelligent, and highly respectable inhabitancy; and, from its being our most western port, and possessing a capacious harbour, and being an important packet-station, it was as fully entitled as any place in this country, to be directly represented in this House; and he (Mr. Stewart) could only regret, that that Representation should be created at the expense of his constituents; for, although Penryn, for some years to come, would be enabled to assert its share in the joint Representation of the towns, yet the right of returning Members would be eventually merged (after the extinction of the present scot and lot voters) in Falmouth, which would contain upwards of 500 electoral houses; whereas the borough of Penryn would remain with only 150

houses of that denomination. As the noble Lord opposite had made some remarks on the voters of Penryn, he should be doing injustice to his own feelings, were he not to state, that, having contested the borough on two occasions, the last election being one of the most severe that had taken place in this kingdom, and having at these periods had an opportunity of judging minutely of the conduct of the voters, he felt himself justified in stating, that the electors of Penryn were as pure and incorrupt as the voters in any other open town in this country. As had been justly stated by his hon. colleague, Penryn was neither a decayed nor a decaying place—its population, including the parish, was nearly 5,000—it contained a number of resident gentry—many respectable professional men, and merchants, carrying on considerable trade, and the generality of the voters were as intelligent and as well-informed as any class of voters in this country; and this led him to remark, that he hoped his Majesty's Ministers would reduce the right of voting in the towns of the West of England, for he could assure them, that the 3*l.* and 4*l.* householders in those districts, were of the same rank of life, equally intelligent, and as fully qualified to exercise the elective franchise, as the 10*l.* householders in the North of England. He (Mr. Stewart) was inclined to think, that it would be a measure of less danger to grant the elective franchise to all inhabitant householders, paying scot and lot, than to the 10*l.* householders, for he believed, that the influence of property would be felt much more by the lowest classes of voters, than by the 10*l.* householders; and in this he was borne out by what had occurred in Ireland, where the landlords had found, that the extinction of the 40*s.* freeholders had not increased, but much diminished, their influence. In conclusion, he would only remark, that his lot had been much happier than that of many hon. Members, who had been obliged to deplore the extinction of their boroughs. He had to celebrate the union of two important towns, and although he had forbidden the banns, and had done all in his power to prevent the marriage, still, if it must take place, he trusted it would prove for the mutual advantage of both parties, and that the first fruits of the union would be, their returning him to the House as one of their Representatives.

Sir *Charles Lemon* resided within two or three miles of both places, and, therefore, could pretend to some local knowledge of them. The borough of Penryn, including the whole of the parish in which it stands, had a population of upwards of 4,000. The population of Falmouth was rather greater than that of Penryn, so that probably the joint amount would be nearly 10,000. The number of houses rated at 10*l.* in the borough of Penryn was 374, and the number of the same rate in the important town of Falmouth, and the parish of Budock, was upwards of 500. Part of both the towns of Falmouth and Penryn, stood in the parish of Budock. He was, therefore, of opinion, from all these circumstances, that the union of these towns for the purpose of Representation, was a most desirable arrangement. These were both thriving towns and ports, increasing in importance, and he had no doubt their union would be attended with beneficial results.

Mr. *Robert Gordon* complained, that Ministers, in this instance, as in some others, had departed from their own rule; for, as Penryn had a population of more than 2,000, it ought to have been placed in schedule B, and be entitled to one Member only. He had heard no satisfactory reason assigned for departing from the rule in this case. He had voted against Ministers, whenever he found them abandoning the course they had chalked out for themselves, particularly with regard to Downton and Saltash, which were decided directly contrary to their own principles. When places were thus capriciously disposed of, he considered he had a right, as a firm supporter of Reform, to demand what were the grounds of exception.

Lord *Althorp* said, it was very true, that the population of Penryn amounted only to 2,933 persons, and, therefore, was only entitled to send one Member to Parliament. The cause of the exception in this case was, that the large town of Falmouth was in its immediate neighbourhood. Ministers thought, that Falmouth and Deal had a fair right to send Representatives to that House. Falmouth was near Penryn, and Deal was near Sandwich; and, in each case, it was deemed proper to unite the two places, and to give them Representatives.

Mr. *Freshfield* was aware, that Penryn had a bad name, and as that circumstance

had been alluded to by the noble Lord, he trusted he might be indulged with a few words in reply. Penryn had formerly been a close borough: by the perseverance and independence of the electors, however, the place had been opened, and the influence which had prevailed had been destroyed. The struggle was of some continuance, and during its existence, much local party feeling was excited, and measures of attack and defence were resorted to, or at least imputed. Charges were met by recrimination, and the disputes were frequently brought under the notice of the House; so that much prejudice was generally entertained against the borough. The noble Lord had referred to the investigation after the general election of 1826; he would, therefore, beg to remind him, that the person whose conduct caused that inquiry, was a stranger in Penryn, a regular electioneering agent, who might, with equal propriety, have practised his mischievous schemes upon any other town in the kingdom. It must not, however, be forgotten, that when the House of Commons sent up a bill of disfranchisement to the other House, the Peers found not the slightest reason for the imputation sought to be fixed upon the great body of electors. He had asserted nothing, which, upon his honour, he did not believe, respecting the character and conduct of the electors, and he must, therefore, conclude by repeating, that no transactions had ever been proved against Penryn, which might not, with equal propriety, be charged against every open borough in the kingdom.

Amendment negatived, and the original question carried.

The next question was, “that Portsmouth and Portsea stand part of schedule E.”

Mr. *Croker* said, if he could have seen that the Government acted upon their own principles, he would not have now made a single observation. But in that he was disappointed. The borough of Portsmouth had originally Members to represent it, and he did not see why it was now to be united with Portsea. The Arsenal of Portsmouth, and Plymouth, were places of great importance; but they were also worthy of special consideration as constituent bodies from other circumstances. It was obvious, that these places must have increased in size, and extended themselves, as the public establishments

had increased, and the inhabitants had multiplied beyond the capabilities of the ancient towns to contain them. This was the case in both of these great naval Arsenals; but the borough of Plymouth was to retain its own Members, and the place which had recently received the name of Devonport, where the dock-yard was situated, and the adjacent parish of Stoke Damerel, and the neighbouring district called Stonehouse, where also a town had grown up, were to be united into a new borough, and to have two Members. With respect to Portsmouth, that town had extended itself into the parish of Portsea, where a large town of the same name had also grown up, but Ministers declined to grant additional Members to Portsea, as they had given to Devonport. They proposed to unite the two Portsmouth towns, and give them only two Members between them. The population of Plymouth, including Stoke Damerel, Stonehouse and Devonport, amounted to 61,000, for which four Members were to be returned. Now Portsmouth, including Portsea, Alverstoke, and Gosport, had a population of 57,000, and were only to return two Members. He could not understand why this distinction was made. He believed, however, that the Government suspected, that its influence might not be so powerful at Plymouth as at Portsmouth, and therefore to counterbalance any opposition from independent Plymouth, they provided themselves with two Members from Devonport, where the Government interest must be predominant. No doubt the power of the Government would be great in the naval arsenals; he did not believe its influence could be eradicated, nor was he quixotic enough to attempt to do so: he knew it would necessarily exist, so long as the arsenals were kept up. He did not, therefore, complain of the two additional Members given to the arsenal at Plymouth, but he said they ought to give the same privileges to Portsmouth. The Bill, however, included Portsea with Portsmouth, and thus threw into the latter a large increase of voters, but gave it no additional Representatives. He would propose to leave Portsmouth two Members to be elected by the new constituency of that large and important town, to include with Portsea, the parishes of Alverstoke and Gosport, situated on the opposite side of the harbour, and which places contained a portion of the naval establishments, and give

these places, which were situated on the same harbour, close to each other, and possessing common interests, two additional Representatives. By the proposed arrangement under the Bill, Portsmouth would be completely sluiced by Portsea. It was true, the latter was under the magisterial jurisdiction of the former, but, if their interests ever became different, the increase of Portsea would wholly eclipse the influence of Portsmouth, and this, the parent town, would be infinitely worse represented than at present. He would conclude by saying, that this Bill was both anomalous and unjust. The 10*l.* franchise in Cornwall and Middlesex could not be fairly assimilated. In the latter it would almost amount to Universal Suffrage, while in remote districts, the qualification would be very high. Two remarkable illustrations of the absurdity of the proposed franchise might be found in Cornwall and Wiltshire, which could hardly, on the 10*l.* principle, muster, in the entire counties, a sufficient constituency to complete their boroughs, though both possessed a great number of respectable inhabitants in the towns. Some regulation of the franchise ought to take place, by which people of a similar rank of life, both in Cornwall and Middlesex, should enjoy the same privileges. He did not mean to assert, that this argument applied particularly to the case before them. But it was suggested to him, by information which he had received, that the 10*l.* franchise would operate very differently in Portsmouth and Plymouth, and that the constituency, which might be thus created for Portsmouth, would be, on the 10*l.* principle, more numerous than that afforded by the more numerous population of Plymouth; and he was satisfied, that a constituency could be obtained at Portsmouth, Portsea, and Gosport, in every respect equal to that at Plymouth, Devonport, and Stonehouse, which latter were to return twice as many Members as the former.

Lord *Althorp* begged to reply in a few words to the remarks of the right hon. Gentleman, relating to the franchise, which he had asserted would be really very unequal, although nominally of the same money value; he admitted this, but thought that was no disparagement; on the contrary, he considered it as an advantage, that a line chosen by a simple rule, nominally equal all over the kingdom, did, in point of fact, give variety.

When they came to the clause respecting the franchise, he should be ready to defend it because it had those effects which the right hon. Gentleman imputed to it as a fault. With respect to the case before them, the number of voters at Portsmouth at present, did not, he believed, exceed thirty, and, therefore, admitting they were doing wrong by extending the franchise, the inhabitants of Portsmouth did not suffer, the great majority of whom had no votes at all. The right hon. Gentleman must be well acquainted with all these places, so that he felt no surprise at his anxiety to give Gosport a share of the Representation. He should have made no objection to that, had Gosport come in their way, but he should certainly not go across the harbour of Portsmouth to find it. Gosport was separated from the other towns of Portsmouth and Portsea, which were most intimately united and connected by the harbour. If the whole of the case of these two great naval arsenals were considered, the Ministers could not be accused of partiality, for Portsmouth had oftener returned Members connected with the party to which he was attached than Plymouth. On the whole, therefore, he continued to maintain the propriety of the arrangement, which he was determined to support.

Mr. Croker meant to assert, that it was improper and absurd, not to say fraudulent, to profess to establish an equal scale of qualification, but to apply the apparently equal scale in such a way as to create the most unequal results. A town might be considerable in the west of England, with a small number of houses rated at 10*l.*, whilst a place near London would be insignificant, though it had many such houses. Thus Dorchester, Guildford, and other towns, would be deprived of a part of their franchise, whilst it would be given to other places, really less important, merely because they were more densely peopled, and house-rent was, of course, high. As to Gosport, his only object in wishing to include that place was, because Stonehouse had been introduced into the Plymouth part of the Bill, and he wished, that equal justice might be dealt to all; but the noble Lord had not used the strongest argument in his own favour: he might have at once overthrown all the arguments in favour of Gosport, by asserting in one word, that Gosport was the Gateshead of Portsmouth.

Question agreed to.

The next question was "that Rochester, with Chatham and Stroud, in the county of Kent, stand part of schedule E."

Mr. Mills said, he must enter his most serious protest against this combination of places. Subscribing as he did to the principles that had been generally pursued in the conduct of this Bill, he thought the facts of the present case were not correctly understood. There was no necessity whatever for joining Chatham and Stroud with Rochester. The returns of the population of that place, and of the number of houses, was most incorrect. Rochester was set down as containing 156 houses of 10*l.* a-year rent; whereas it actually contained 1,069 houses of that value. Its population in 1821, was 9,309, and it now contained 9,890, and the total number of houses was 1,862. The question was, whether this was a sufficient number to furnish an effective constituency, without the addition of the neighbouring places of Chatham and Stroud. Of the latter, he would say nothing, because it was a small place, and not liable to the same objections as Chatham. The population of Chatham alone amounted to 16,000, and it contained 1,506 10*l.* houses. He must protest against deluging the 1,000 voters of Rochester with such a constituency as this; which would have the effect of disfranchising Rochester altogether. There was, moreover, much jealousy between Chatham and Rochester, as had been proved at a late public meeting. They might be joined, but could never form a happy couple, even with the addition of a "friend to the family" named Stroud. The noble Lord had just stated, that he had connected Portsmouth with Portsea, partly because it had a small constituency, and was a close borough, and that the same measure was not dealt to Plymouth, because that place and Devonport were separate, and could each furnish a respectable constituency. He only asked him to apply the same principles to Chatham and Rochester. Surely the noble Lord would not say, this place was added because a portion of the High Street of the former was within the limits of the liberty of the latter? Upon the same rule, Guildford and Dorchester would have been saved; but having refused to admit those instances, he would surely not avail himself of a similar union to support a precisely reverse case.

He must further inquire, if Chatham was to be added to Rochester, because they were a little connected at one end, why Gillingham, which intersected Chatham in all manner of ways at the other, and contained 6,000 inhabitants, was not to be joined to it? He could not suffer injustice to be committed to the ancient city which had returned him free and independent, without exclaiming against it. He should certainly oppose the proposition now before them, and take the sense of the Committee upon it.

Lord *Althorp* confessed, that this was a case which had struck him as one of great difficulty, but that, when he came to consider the situation of the two towns, he had not been able to see how they could be separated. The city of Rochester, properly so called, was not very extensive; but if they took the city and the liberties of Rochester together, they made up a very respectable constituency. A part of the liberties of Rochester, however, ran into Chatham, so that, if it had been resolved that both Chatham and Rochester should send Members, there would have been great difficulty in distinguishing, for the purpose of elections, the limits of the liberties of Rochester. The hon. Gentleman had said, that the effect of the present arrangement would be, to take away the Representation of Rochester altogether. He could not see how such an effect could be produced by the arrangement. He believed that there were about 1,100 10*l*. houses in Stroud and Rochester, and about 1,500 in Chatham; and he could not see how those who had more than two-fifths of the votes would be deprived of all weight in the election of Members. From what he knew of Rochester, it was one of the last towns he should wish to deprive of its rights, but on the other hand, Chatham was a place fully entitled to Representation. But in arguing questions like the present, Gentlemen always assumed, that the inhabitants of towns would act together in a body. This, however, was very improbable, for the same causes which led at present to differences of opinion among the electors of one town, must necessarily produce the same difference among the electors of any two towns that might happen to be joined for the purpose of returning Members. Under such circumstances, he saw no objection to the union of these places.

Lord *Villiers* said, that this proceeding

was robbing Rochester to give to Chatham. He protested against the noble Lord treating Rochester as a new borough. Its ancient privilege was, to return two Members, and it in no wise derived this from the bounty of his Majesty's Government. Chatham was the creation of the Dock Yard, and long before a house stood there, Rochester had returned Members to Parliament. He was convinced, that if this arrangement were carried into effect, the electors of Chatham would act in a body, and return their own Member in spite of Rochester. If Chatham was admitted, they must also admit Gillingham, for a part of Chatham was situated in that parish. Even the dock-yard was in it. The liberties of Rochester had been clearly distinguished for many years past, for all purposes which regarded the freemen of Rochester, and he thought that there could be no difficulty in preserving the distinction when they came to deal with 10*l*. houses. There was also no community of interest between the two places, and they would return a very different description of Representatives. No one objected to Chatham returning Members, and the noble Lord might give Members to it if he pleased, but he had no right to rob Rochester for the purpose of giving Representation to Chatham. The noble Lord had a bank of his own, of thirty Members, which he might draw upon for this purpose. It had been said by the Gentlemen opposite, that it was wrong to swamp Gateshead in Newcastle. Then let him ask them, if it was not equally improper to swamp Rochester in Chatham and Stroud? The electors of Rochester were at present independent, whereas the interest of Government in Chatham was very great. If, therefore, the noble Lord wished to get rid of improper influence, and not to create nomination boroughs, let the noble Lord abandon his proposition for adding Chatham to Rochester. He should, therefore, most cordially join in supporting the proposition of his hon. friend, and endeavour to preserve for Rochester those rights which it had enjoyed for so many centuries, and had never made an improper use of.

Lord *Althorp* had never said that there was any difficulty in defining the liberties of Rochester, as Rochester was at present situated. What he had said was this—namely, that if Chatham and Rochester were each to return Members separately,

then, as the liberties of Rochester ran into Chatham, there would be a difficulty in deciding, whether a particular house was in Chatham or in Rochester. As to what the noble Lord had said about the interest of Government in Chatham—surely, if what the noble Lord had said was correct, they ought not to give separate Members to Chatham. On the contrary, the best way of getting rid of that influence would be, to add Chatham to Rochester, which was admitted to be independent of all such control. He confessed, that this arrangement was not according to his wish, but that it was the best which he and his colleagues had been able to devise under all the circumstances of the case.

Lord *Villiers* repeated, that the noble Lord had a bank of his own of thirty Members, and that it was very unfair for him to make a run upon the banks of others. The part of Chatham which ran into the liberties of Rochester, did not exceed sixty yards.

Sir *Edward Sugden* was surprised to hear it asserted, that there could be any difficulty in separating Chatham from Rochester. The noble Lord had never found any difficulty in ascertaining the limits of flourishing and respectable towns, and which could by no means be considered as nomination boroughs, when he had resolved to disfranchise them. In such cases, a little ditch or a stream, which a child could step over, was quite a sufficient boundary. But now the noble Lord saw great difficulty in separating places that had always been distinct from each other. He had heard charges of special pleading made against the opposers of the noble Lord's Bill, but he was sure that argument, about the difficulty of separating those places, was no more than special pleading—there was no sense in it. He thought that the noble Lord ought to give the Committee some reason for the distinction which he made, between the difficulty of separating places for the purpose of disfranchisement, and the difficulty of separation in cases of enfranchisement. When ancient rights were to be destroyed, if separation suited the object of the noble Lord, there was then no difficulty; he could always draw a notional line across a town, and cut off a portion of its population. But when the noble Lord wished to bring in a plan for enfranchisement, difficulties of separation which had never been known before, were suddenly discovered,

and pronounced to be insuperable. Most liberal was the noble Lord in giving in such cases, and 'was he dealing with his own property, his generosity could not be too much extolled. But as, unfortunately, they were dealing with the rights of the people of England, and were disposing of the privileges of the most ancient and flourishing towns, which had always exercised them most constitutionally, they ought to be rather more cautious than the noble Lord wished them to be. He believed no place had returned its Members more honourably than Rochester, although he had not agreed with the politics of its Representatives. Although the liberty of Rochester did certainly run into Chatham, yet the town of Rochester was in no way to be confounded with Chatham, and no difficulty in distinguishing them had ever been found on the spot.

Lord *Althorp* said, that the principle upon which the Bill proceeded with respect to disfranchisement, was to take the Representation from those boroughs in which the number of voters were so few as to render them either corrupt or subject to nomination, or which were so inconsiderable as to be sufficiently represented by one Member. He denied that he had resorted to special pleading; but he thought that term might not inaptly be applied, when every sort of contrivance was resorted to, to get this corner of one parish, and that corner of another into a borough, which, according to the rule laid down by the Bill, could not justly be allowed to return the same number of Members as formerly. In the cases of such boroughs, the Committee had agreed to a strict rule, by which they were to be decided. But the same rule did not apply to cases of enfranchisement, nor was there any reason that it should be applied to them. The object of the enfranchising part of the Bill was, to give Members to important towns, which had the most just claims to be represented. With respect to Rochester, he admitted, that there would be no difficulty, if it were not intended to give Chatham a share in the Representation; but, as Chatham was to be represented, then it became a matter of great difficulty to separate the constituency of that place from that of Rochester.

Mr. *Mills* said, the liberties of Rochester extended only along one side of one street in Chatham; there could not be the slightest difficulty in distinguishing where

one constituency ended, and the other began.

Mr. C. W. Wynn perfectly agreed with the noble Lord (Lord Althorp), that there ought to be a different rule in disfranchising and enfranchising; but then he totally differed from the noble Lord as to the nature of that rule. He thought, that in disfranchising places of a right which they had long enjoyed, the rule ought to be applied most liberally, and that any place that could be added to them—any corner or portion of a district, if the noble Lord pleased—ought to be added to them, to save them from disfranchisement. The contrary plan, however, had been adopted by the Ministers. The most trifling, the most contemptible, the most insignificant, the most imaginary distinctions had been laid down in order to compass the work of disfranchisement. One side of a street had been taken, and the road-way between it, and the other side had been considered a boundary sufficient to prevent the unhappy borough from being saved by the population on the other side. This was what his side of the House complained of. As to Dorchester, Guildford, Clitheroe, and other towns, with respect to them a rule was laid down, which was strictly to be adhered to; but when a town was to be enfranchised, at the expense of a neighbouring ancient, large and populous city, more considerable than many boroughs which had been left untouched, and not supposed to be under any improper influence, the electors of which had the strongest right to retain their franchise—when such an object was to be compassed, all ancient and well-known boundaries were broken through. Even if the line of separation was not distinct, what was to prevent the roving Commission which was contemplated, from separating these two towns? How were the limits of Westminster and Marylebone, and all the new constituencies in the vicinity of the metropolis, to be ascertained? In whatever manner these were to be settled, the same rule could be applied to ascertain the exact boundaries of Rochester and Chatham. But it appeared to him, the authors of this clause acted upon the reverse of what was right. Where they were strict, they ought to be lax, and where they were lax, they ought to be strict. In ancient walled towns, the population had diminished generally, for traders had erected their dwellings outside the walls,

when there was no necessity to resort to them for a security, for the convenience of greater space, and thus had many ancient boroughs overflowed their original limits; yet in such cases, they had determined the new erections should not save the old borough from being disfranchised. Now, however, when an ancient city had kept up its population and wealth, it was to be deprived also of its franchise, by the abandonment of the principle they had hitherto acted upon. He could by no means conceive why Chatham should not have a separate Representative.

Mr. Stanley would concede to the right hon. Gentleman, that the rules of enfranchisement and of disfranchisement ought to be of the character, and ought to be applied, in the manner which the right hon. Gentleman had laid down, if the places which had been selected for disfranchisement and for enfranchisement were, *cæteris paribus*, similarly circumstanced. The right hon. Gentleman, however, was sufficiently acute to perceive that the difference between the two classes of places was very great. The rule which had been laid down was, that all places which had only 4,000 inhabitants should not exercise a greater right than their amount of population fairly entitled them to exercise; and this rule had been strictly enforced, in order to guard against the admission of any extraneous population, which might nominally, though it would not really, swell the constituency of such places. The object of the Government had been, to prevent inconsiderable places enjoying the same share of Representation as large and populous towns; and further, having thus placed at their disposal a certain number of seats, to give them to as extensive populations as, consistent with their duty, they could select. In pursuance of this object, the Government had not taken two small places, which, added together, might make up a respectable constituency; but they had selected such large and populous places, that it was not necessary for them to proceed upon so nice a rule as they had thought it necessary to enforce in the case of places of 4,000 inhabitants. This, he said, was not necessary; because, in the places they had selected, a difference of 1,000 or 2,000 was not a matter of any consequence, those places being, by this mode of selection, far more populous than, as was admitted, they need be, according

to the rules of disfranchisement. There was considerable difficulty in saying which was Rochester, and which was Chatham. That difficulty did not exist in ascertaining who was entitled to vote for Rochester, but in actually separating the two places. By joining Chatham to it, which was justified by their contiguity, the identity of their interests, and the difficulty of distinguishing their limits, a sufficiently independent, and certainly not over numerous, constituency would be obtained. But hon. Gentlemen said, Government would have great influence in Chatham; and, in the same breath, say, give Chatham a Member to itself. If Government would have an undue influence over the voters of that place, this was an additional reason for joining that place to Rochester, instead of giving it a separate Representation.

Sir C. Wetherell said, that if he had known that this case was coming on to-night, he should have moved, that the Chairman, *pro hac vice*, do leave the Chair. He need hardly say, that he should not have moved this out of any disrespect to the Chairman—he should have made this preliminary motion because, by the Chairman remaining in the Chair, Rochester lost a most able advocate. However, on the report being brought up, the Chairman would have an opportunity of moving—as he was sure the Chairman would move—that Rochester be left as Rochester now was. Now, this case of Rochester and Chatham was one of those cases which, the more he had studied it, the more confused he became. Yes; but it was the Government that had confused him. It was true, that when they were creating a new borough, they might act on a different principle from that on which they were acting when they were avowedly disfranchising, but still there ought to be some common sense in the new principle. When they had the case of Fowey before them, one part of which was separated from the other by a river, it being a place with a Custom House collecting duties to the amount of 15,000*l.* a year, they were told, the contiguous port of Fowey could not be added to it, to save it from disfranchisement. In like manner, in the cases of Durham, Bridport, Guildford, and Dorchester, it was resolved not to take advantage of the nearest contiguity; but now they were to strain every nerve to unite places which naturally ought to be separated. If the political cranium of the

framers of this Bill were dissected by a skilful phrenologist, he had no doubt that the phrenologist would say, that the organ of destructiveness was not only fully developed, but that it protruded marvelously. The organ of destructiveness would only be second in size to the organ of inconsistency. The Ministers, for the sake of Republicanism and the democratic right of voting, could make their arms grow fifteen miles long, in order to lay hold upon a parish; but the organic and systematic destructiveness which gave them this length of arm in such cases, crippled them so much that they could not reach to the end of the space which really constituted a town, when, by so reaching, they could save that town from disfranchisement. No; the principle of destruction and of spoliation was the only principle in which the Ministers were consistent. This case had been so fully discussed, that he would trouble the Committee with no observations upon it. He could only say, that the conduct of that House had given great disgust to the people of Kent, for the manner in which the House had dealt with the Kentish boroughs. The right hon. Secretary for Ireland had told them, that the Government had not been so nice in their rules of enfranchisement as in their rules of disfranchisement. This was quite true; but what was the object of it? The object of it was, to get seats for the purpose of handing them over to their democratic population. The object of Ministers was, to violate rights which had existed for centuries; rights communicated by Charter, and enjoyed by places, the conduct of which had, for ages, been wholly unimpeached. But the eyes of the people of England were opening, and they were ridiculing the absurdities of this Bill.

Mr. Hodges said, that he felt it necessary to say a word or two upon an observation of the hon. and learned Gentleman. The hon. and learned Gentleman had said, that there was great disgust in the county of Kent at the manner in which the House had dealt with this Bill.

Sir Charles Wetherell.—Not with the Bill, but with the Kentish boroughs.

Mr. Hodges continued.—Well, the hon. and learned Gentleman was quite right, He was sorry to say, that in the county of Kent considerable disgust had arisen in consequence of the proceedings on this Bill. Yes—considerable disgust—but it

was disgust at the delay which had taken place in the progress of the Bill. The people would never change their mind on the subject of Reform, or if they did, it would be replaced by a desire for a Republic, and then adieu to the Constitutional Reform, which there was now a hope of effecting. With regard to the subject now under consideration, he begged to state, that he had a petition from the people of Chatham, which he was sorry not to have had an opportunity of presenting, stating, that they had no desire for separate Representation, and deprecating all alterations in the Bill.

Lord *Eliot* observed, that the difficulty of dividing Chatham and Rochester might be overcome by a little of that ingenuity which had been displayed by the other side in the discussion of the different cases in schedule B. If the territorial limits of Rochester had been ascertained, as was stated, where could be the difficulty? Nor could there be any difficulty as to Chatham. If Rochester was to have two Representatives on account of its wealth and property, and they were told it contained 1,000 10*l.* householders, which was 700 more than had preserved the rights of other places, why should not Chatham have one? The noble Lord had said, that it would be a nomination borough, under the influence of Government. But if that was the objection, surely it would be much more so to return two Members, as it would, in fact, under this Bill. He knew nothing of the jealousies prevailing between the two towns, but thought the inhabitants of Rochester the best judges of the matter, and they heard from them, that animosities and rivalry did exist between them.

Mr. *Barnett* said, that the people of Rochester and Chatham were so anxious for the success of the Bill, that he would undertake to say, they would rather give up any wishes of their own than see its course impeded, but the interests of Rochester were so different from those of Chatham as to make a separate Member essential.

Lord *Villiers* begged to observe, that he had not proposed to give a separate Member to Chatham, as seemed to be implied by the speech of the noble Lord; he had only suggested a way of doing so without committing an injustice on Rochester.

Mr. *Hunt* said, that, disguise it how they might, the common sense of the question before the House was this—

whether they should not only give two nomination Members to the Government, but also, whether they should take away two independent Members from Rochester? He had no objection to giving Chatham two Members, but he had the strongest objections to swamping Rochester by means of Chatham, and as the first had only 1,000 voters, and the last 1,500, that would be the inevitable result of uniting them. During the whole progress of the measure, he had not noticed anything so unjust as depriving Rochester of its Members. No one could dispute, that the Government possessed great influence in Chatham, and perhaps some future Ministry might use it improperly; but of that he did not complain so much as taking away two independent Members from Rochester. He had frequently heard the noble Lord, the member for Northamptonshire (Lord Milton), boast of his independence, he should be glad to see him exert it now. Nothing could be easier than to ascertain the boundaries of the two places; the Commissioners would have nothing further to do than to inquire from the parish Officers of the two towns. The Ministers could not conceal from the people of England, that they were making this measure a means of gross partiality and injustice. After seeing what had been done with Gateshead and other places, he could not as an independent Member of that House, avoid giving his vote against the Government, should it persist in uniting Chatham to Rochester.

Mr. *Croker* said, that the hon. member for Maidstone had stated a fact which was decisive of the question. He had said, that the people of Chatham, so far from wishing to be erected into a separate borough, and to have one Representative of their own, were so much attached to the Bill, that they would rather remain as it left them, than impede its progress by any alteration. To be sure they would; and he would tell the hon. Member why—because they knew full well, that the Bill, as it stood, would leave them with the power of sending the two Members into Parliament instead of one. The two nominal representatives of Rochester would be really elected by Chatham. This was the secret of the self-denial of Chatham. Chatham knew, that with its 1,500 voters, it could beat down the 1,000 voters of Rochester even now, and, that while Rochester could not increase its numbers,

Chatham, Stroud, and Brompton, would be daily advancing their majority. Now he was not prepared to accept the interested generosity and affected forbearance of the people of Chatham. They knew their own interests best, and that they should not be much hurt by their magnanimity upon this occasion. But it was because he would not give them two Members at the expense of their neighbours, that he declined their voluntary sacrifice. He was willing to give them one honest Member of their own, but he would not assist them in gaining fraudulent possession of the two Members for Rochester.

Mr. *Stanley* said, that, if the right hon. Gentleman questioned the disinterestedness of Chatham, what did he say to the statement of the same hon. Member, that Rochester was also desirous that the Bill should not be altered?

Mr. *Croker* said, that, if the right hon. Secretary had been earlier in his place, he would have heard a distinct statement from one of the hon. members for Rochester, and a supporter of the Bill, that the people of Rochester, considering their rights destroyed by this part of it, were strongly opposed to the union with Chatham.

Mr. *Mills* said, he was sure the hon. member for Maidstone had spoken of the wishes of the people of Rochester without any recent communication with them. He could satisfy the hon. Member by documents in his possession, that the parties to whom he alluded, almost to a man, now thought their rights would be gone the moment the Bill as it stood should be carried. He had been a supporter of the principle of the Bill from the first, and it would have been his interest to have remained silent now. But he declared, that he should be sacrificing his conscience and disobeying the dictates of his sense of justice, if he did not openly declare, that he had never witnessed a more violent example of injustice than that now proposed. The claims of Rochester were so clear, and its destruction as a represented City was so manifest, that nothing should deter him from expressing his opinion of this part of the measure. In support of so violent and unjust a course he must say, that he had heard not a shadow of argument or reason adduced, excepting upon the single point of the difficulty of deciding where the line should be drawn that was to divide Chatham from Rochester.

Now if this were the real difficulty, and the only motive of the noble Lord, he should like to be told what was to be the use of that commission, appointed by the Bill for the especial purpose of settling such questions. If this part of the measure were adopted, he would say to the last, that the case of Rochester was a case of gross and glaring injustice.

Lord *Milton* observed, that the whole debate had been conducted, and particularly by the hon. member for Rochester (Mr. *Mills*), as if the question in discussion was as to the right of individual bodies to Representation. He conceived that the only question with which the Committee had to do was, to decide what was best, not for particular places, but for the people of England. With respect to the rights of Chatham and Rochester, he could not but express his astonishment at the observation of his right hon. friend, the member for Montgomery (Mr. *C. W. Wynn*), when he said, that the Bill appeared to him more a Bill of disfranchisement than of enfranchisement. If this were the case, then the rights of the electors of England were not held as a trust for the people of England, but for their own special and peculiar benefit. They were for the peculiar community of Rochester, and not for the great community of England. He (Lord *Milton*) was of opinion, that it was not private rights, but general rights, they were to regard; and he asked the hon. Members on the other side, if on the banks of the Medway there were to be two boroughs, one of an ancient, the other of a new Constitution, both being close together, each being moderate-sized towns, and therefore of a description liable to be influenced improperly, or whether they would form one borough out of them, answering to that extent of population which was entitled to the exercise of the elective franchise? He should vote for the schedule as it stood.

Mr. *Goulburn* called upon the noble Lord to show how the disfranchisement of Rochester could benefit the people of England. If the people of England were to be served by a change in the Representation of that town, it surely was not by taking away the Representation altogether, as the Bill was calculated to do, by comprehending the population of the neighbouring town in the constituency. It would be more advisable, in this case, to have three Representatives than two,

for the whole of the independent interest of Rochester would otherwise be overwhelmed by the population of Chatham. The noble Lord (Lord Milton) had said, that upon the question before the House, private rights were of no consideration; that it was not a matter of moment whether or not the franchise was to be given to one body or to another. What, he begged to know, were they, night after night, discussing, but the propriety of giving the elective franchise to one body and taking it from another? But the noble Lord had said, that he would rather have one borough than two on the banks of the Medway. Had the noble Lord forgotten the banks of the Tyne? Had he forgotten what had taken place but a few nights ago with respect to Newcastle and Gateshead? Could the noble Lord act upon the principle of separation in the one instance, which was certainly the weaker, and deny it to that of Chatham and Rochester? When an additional weight was to be thrown into the county of Durham, it was easy to reconcile the inconsistency, and a new borough was at once established, but the principle was not to operate beyond that point. In the county of Kent no such interest was to be sustained, and accordingly, the principle lost its operation.

Lord Milton said, he had not forgotten the decision upon Gateshead and Newcastle. He remembered that the population of Gateshead and Newcastle was double the population of Chatham and Rochester, and that the claim of Gateshead was in proportion to that numerical superiority. He considered that his Majesty's Ministers had exercised a sound judgment in deciding upon the claims of the towns alluded to, and he should certainly vote for the proposition.

Mr. C. W. Wynn said, that they were certainly bound in their deliberations to consider what was best for the people of England, but they were also bound to accomplish the good with as little as possible injury to the rights of individuals. Were they not constantly discussing private rights? The noble Lord might as well question the right of his father to sit in the other House of Parliament, as to deny the right of towns to privileges which they had long possessed.

Lord Milton said, that, in this case, no rights were intended to be taken away. If the elective franchise was to be ex-

tended for the benefit of the public, it could be exercised as well jointly by Chatham and Rochester as by either separately.

Mr. Croker begged to know what the noble Lord, if he argued for the separation in one case, and for combining the constituency in another, when the cases exactly corresponded, meant by sluicing a borough?

Mr. C. W. Wynn said, that Rochester would sustain certain injury from letting the population of the neighbouring towns into it. He begged to remind the Committee, that a borough had recently been thrown open to the hundred on account of bribery, and that was considered a proper punishment for the offence. The Committee, therefore, were about to apply a penalty to Rochester which had committed no offence.

Mr. Thomas Duncombe could not refrain from saying a few words after hearing imputations cast upon a noble friend of his. He understood what was meant by the late Chancellor of the Exchequer (Mr. Goulburn) when that right hon. Gentleman alluded to the banks of the Tyne. It was meant, that a noble friend of his, Lord Durham, had used his influence in the Cabinet to obtain an additional Member for Durham, to serve his own purposes. He would not sit there and hear his noble friend traduced [*laughter*]. Hon. Members might laugh, but the interpretation he had given to the insinuation, was the plain English of it. He would meet that representation with the most complete contradiction [*"hear, hear"*]. He would tell those hon. Members who cheered, that if they would get up and make such an imputation, he would meet it with the most unqualified contradiction. If by that cheer it was intended to support the assertion made by the late Chancellor of the Exchequer, and by a side-wind to confirm the imputation cast upon his noble friend, he would meet it as it deserved to be met, and pronounce it to be a base and wicked calumny [*loud cries of "order" and "Chair, Chair."*]

The Chairman said, that he was sure it was not necessary to impress upon the hon. Member that, in the heat of argument, he had used expressions which the hon. Member would not, in a calmer mood, and in the exercise of a sober discretion, have uttered.

Mr. Thomas Duncombe said, he was in

his discreet and sober moments when he uttered the words, and he assured the Committee that he sincerely intended what he had said [*cries of "order" and "Chair."*]

Mr. *Jonathan Peel* said, that the hon. Gentleman had used the words "base and wicked calumny," in allusion to his right hon. friend; and, instead of retracting, the hon. Gentleman used an aggravation of his harsh language.

Sir *Henry Hardinge* observed, that if the hon. Member had been in his place on the night to which he referred, he would have heard that no imputation was cast upon the noble Lord who had been alluded to, but it had been stated that the Bill gave advantages, which were not justifiable, to the county of Durham. If the hon. Member would look to the comparative circumstances of Gateshead, which was to have a Representative, independent of Newcastle, and to the cases of Rochester and Chatham, he would see a stronger reason why Gateshead should be annexed to Newcastle, than have a Member of its own. The right hon. Gentleman was proceeding, when he was called to order by

The *Chairman*, who said, that there was another Gentleman in possession of the House, when he was called to order.

Sir *Henry Hardinge* said, he had risen in an amicable spirit, to state to the hon. Member, that if he had been in his place the other evening, he would have been sensible that no imputation had been cast upon the noble Lord who was alluded to, and he thought, if he proceeded to show that Gateshead was not a defensible case, he might have succeeded in his object.

Sir *Robert Inglis* spoke to order. The hon. member for Hertford had used the words "base calumny;" upon which the Chairman told the hon. Member, that he was sure, that if he exercised his sober discretion, he would not pursue such a line of remark; but the hon. member for Hertford declared, that he was in the exercise of his sober discretion; and thereby, instead of apologizing to the Committee, or to the right hon. Member against whom the observation was directed, virtually repeated his statement. He (Sir R. Inglis) begged to know from the Chairman, what was the law of the House under such circumstances.

The *Chairman* said, that during the little experience which he had had in his present office, he had frequently listened with

pain to expressions which were certainly not justifiable. It was not only of late, but it was for years, that he had observed the difficult situation of the Member who filled the Chair, when called upon to interfere. It was a very unpleasant task. He was sure, however, that what had fallen from his hon. friend, the member for Hertford, had escaped from him in the heat and hurry of argument; and as they all knew his hon. friend could not mean to violate the rules and orders of the House, he was sure that his hon. friend would have no difficulty in explaining.

Mr. *Thomas Duncombe* declared, that nothing should induce him to retract the sentiment which he had uttered, until that which had produced it had been withdrawn. When he put into plain English the speech of the right hon. Gentleman—when he said that it meant that Lord Durham used his influence in the Cabinet to add a Representative to the county of Durham, to the prejudice of other places in England—he appealed to the Chairman whether that statement had not been cheered by the other side of the House? When he heard it so cheered, he went on to say, if those cheers were meant to confirm the statement, that it was a wicked and false insinuation. He cared not what penalty he might incur. If that penalty were imposed upon him for speaking the truth, by that truth he was nevertheless ready to abide [*repeated calls to "order" and "Chair."*]

Mr. *C. W. Wynn* said, it was impossible that the House could properly and satisfactorily discharge its functions, if language were to be used on either side which would not be used by gentlemen in private society. Any assertion made by one hon. Member was open to contradiction by another; but the contradiction ought not to be accompanied by the imputation of wicked and base motives. He presumed that the hon. member for Hertford only intended to express himself strongly, and that he did not mean to violate the rules of the House, as well as the rules of gentlemanly intercourse. The orders of the House were founded upon necessity, and they owed to them the freedom of debate in the House, and it was right to prevent such language as they had heard, from being used. That the House had the power to do so there could be no question, and it was the duty of the Chairman to cause the rules to be

obeyed. He should be sorry to see that power exerted upon the present occasion, as he firmly believed the hon. Gentleman who had made use of the offensive expressions, had been hurried away in the heat of debate, and that he did not mean to express himself contrary to the rules of the House. If, however, the offensive language were not retracted, then he should move that those rules be enforced [*cries of "Move."*] He hoped, however, that such an extreme course would be rendered unnecessary by the hon. Member admitting that the words were used in a moment of warmth, and not deliberately maintained.

Lord *Althorp* observed, that they must all be desirous that as little personality as possible should be introduced into their proceedings. With regard to the fact, if it were meant to say that his noble friend had been influenced by interested motives in his conduct on the subject, he concurred with the hon. member for Hertford in denying the charge in the strongest and most indignant terms. But he was quite satisfied that the right hon. Gentleman opposite did not intend to advance any serious charge of that nature. He, therefore submitted to his hon. friend, the member for Hertford, that he was not justified in using the expressions which had fallen from him, and, therefore, that he should at once say that they were hasty, and not intended to convey what they imported.

Mr. *Thomas Duncombe* said, if the right hon. Gentleman would get up and say he did not mean to impute anything to the noble Lord, he would do so, but not otherwise.

Sir *George Murray* observed, that the question was, whether the Chairman had expressed his disapprobation of certain expressions; and those expressions being followed by a more strong, and a more deliberate assertion of them, whether the Chair was to be supported or not.

Mr. *Stephenson* wished to say, that from his knowledge of the noble Lord alluded to, he was perfectly convinced, that any imputations against him of this nature, must be totally without foundation.

Mr. *Thomas Duncombe* repeated, that till he heard the expression to which he referred, retracted, he should not retract; and he begged leave to say, that he maintained his former opinion [*"order" and "Chair."*]

Colonel *Lindsay* said, that the observa-

tions of the hon. Gentleman opposite, were really assuming a tone of defiance, in opposition to the general feeling of the Committee. He did not understand that the right hon. Gentleman had made any such insinuation as the hon. Member had assumed. The whole proceeding of the hon. Member was unparliamentary, and he had no right to call for explanations.

Mr. *John Stanley* observed, that if the hon. Member put a hypothetical case, as he understood him to do, it was competent for him to say, that if such an imputation had been made on the noble Lord, it was false.

Sir *Charles Wetherell* had only heard his right hon. friend say, that there were different rules established for Kent and for Durham. He had heard no allusion to Lord Durham.

Mr. *Thomas Duncombe* would ask, whether the silence of the right hon. Gentleman, did not confirm the inference he had drawn from his observations [*repeated calls to "order" and "Chair," which drowned the hon. Member's voice, and prevented him from proceeding.*]

Mr. *Frankland Lewis* rose to order. The question now was, whether the Committee would maintain those rules which were indispensable to the freedom and independence of their proceedings? The hon. member for Hertford had again and again accused another hon. Member of making a wicked, base, and false statement. The Committee were, therefore, placed in this situation. He knew that phrases of a strong nature were frequently passed by without notice. But here the attention of the Committee was expressly called to the subject, and they were required to pronounce whether it was competent to one hon. Member to say of the argument of another, that it was a wicked and base calumny. That was the point which they were called upon to decide. They were to decide whether or not the debates of that House could be satisfactorily carried on, if the use of such language were permitted. How were they to proceed? He was sure that the whole affair originated in an entire misapprehension. The House called on the hon. member for Hertford, to act with discretion on the occasion. If, in the heat of his ardour for Reform, the hon. Gentleman had allowed himself to violate the rules of sober discussion, he must not permit any punctilious notions of a supposed honour to prevent him from

retracting expressions, the use of which in the debates of that House must diminish the public respect, by showing that their deliberations were not carried on in a proper state of mind, but were accompanied by a heat and violence which indicated incapacity of judgment. If the hon. Member really did believe that the right hon. Gentleman had asserted a wicked and false calumny, he ought to call upon the right hon. Gentleman to state what it was he did say, and to have it taken down; and if it appeared not to bear such an interpretation, the Chairman was bound to state to the hon. Member, that expressions such as he had used could not be tolerated.

Lord *Milton* said, his desire had always been, and was now, to keep peace as far as possible. He would, therefore, suggest, that the right hon. Gentleman (Mr. Goulburn) should repeat what he did say; but he really thought, that his hon. friend, who had spoken so warmly, had gone rather beyond the point at issue. When the right hon. Gentleman spoke of the difference of the principle which operated upon the banks of the Tyne, and the banks of the Medway, he (Lord Milton) did not apprehend that the right hon. Gentleman threw out any imputation on Lord Durham, of using his influence in the Cabinet for the purpose of promoting his personal interests; and it did not appear to him to be necessary that the hon. member for Hertford should infer what was passing in the mind of the right hon. Gentleman when he made that remark. If that were so, then it was evident, that the expressions of the hon. member for Hertford were too hastily uttered. Why, therefore, could not the right hon. Gentleman repeat what he had said?

Mr. *Croker* perfectly agreed with the noble Lord, except in one particular. His right hon. friend had not alluded to Lord Durham at all, but to what had been stated by other hon. Gentlemen on a former night. It must also be recollected, that the observations of the hon. member for Hertford did not apply to any thing that passed at the moment, they were not made in the sudden heat of argument, but had reference to what had taken place on a previous occasion.

Sir *James Scarlett* said, his right hon. friend was not bound to repeat what he had said on the occasion alluded to. Indeed, it was too much to call upon an hon. Member to repeat his observations, when

neither the Chairman nor any other hon. Gentleman could state they were unparliamentary.

Mr. *C. W. Wynn* also said, it was contrary to all rules to call upon a Member to repeat the words he had used, unless immediately after they had fallen from him. The hon. Member should have called to order, if he found any thing objectionable at the moment. [*Loud calls for Mr. Thomas Duncombe to explain.*]

Mr. *Western* begged for a moment to call the attention of the Committee to an expression used by his hon. friend, the member for Hertford, after he had been corrected by the Chairman. His hon. friend had said, that "if" the right hon. Gentleman meant to insinuate that the noble Lord (Durham) had made an improper use of his influence as a Minister, to obtain a larger share of political importance for the county of Durham, and if the cheers by which he was assailed were meant to confirm that insinuation, the statement was a base and wicked falsehood. This was only putting the case hypothetically, and surely the right hon. Gentleman (Mr. Goulburn) could not object to tell what it was he did mean. If the right hon. Gentleman meant no charge of the kind, and he did not say the right hon. Gentleman had, he had a right to say so.

Mr. *Thomas Duncombe*: I am very much surprised at the lecture with which I have been favoured by the right hon. member for Radnor. I hope, Sir, that I know what is due to my own honour, and to this House, without any lecture at all.

Mr. *Frankland Lewis*: I rise to order, and must throw myself on the House

Mr. *Thomas Duncombe*: The right hon. member for Radnor recommended me not to be too punctilious about my own honour. My honour, however, is as dear to me as his honour is to him. The observations which I used, and which have been so frequently repeated, were these:—I said, that if the right hon. Gentleman, the late Chancellor of the Exchequer, imputed certain motives to Lord Durham as a direct assertion, I should meet that assertion by a direct contradiction; but if it was only thrown out as an insinuation, which I supposed, I should treat it as a gross and wicked calumny. Now, it is in the power of the right hon. Gentleman, and of the right hon. Gentleman only, to make me retract this asser-

tion. I should wish to know whether the right hon. Gentleman has ever looked into the population returns of the county of Durham? — [*cries of "Chair, chair," and great disorder.*]

Lord Milton did not rise to call the hon. member for Hertford to order, but to call the hon. Gentlemen opposite, who were crying out "Chair," to order. He had one Member particularly in his eye—one of the hon. members for the borough of Eye. It was not fair nor just, when the hon. member for Hertford was stating his case to the House, to interrupt him.

Mr. Burge said, that though the noble Lord (Milton) had assumed the jurisdiction that belonged to the Chairman, and which he (Mr. Burge) conceived was very well placed in the hands of the Chairman, and had taken upon himself to call him (Mr. Burge) to order, he should not so far forget what was due to the House as to answer the noble Lord. He should address himself to the Chairman and to the Committee, for to them only was he responsible for his conduct. That which induced him to cry out "Chair" was, that the language addressed to the Committee by the hon. member for Hertford, not only remained uncontradicted and unexplained, but was actually persisted in, though the Chairman had pronounced his opinion upon it—an opinion which was supported by the Committee. With all deference to the noble Lord (Milton), it was for the Chairman to state his opinion, whether it was right that the hon. member for Hertford should persist in the offence he had committed. Until the offensive expressions were retracted, and the Members of that House restored to the independence and freedom of debate, it was too much to enter upon the general question. The hon. member for Hertford was bound to satisfy the Committee for the offence he had committed, and to purge himself from the stain. Notwithstanding the reproach which the noble Lord opposite, who was a very old Member, addressed to him, who was a very new one, he knew enough of what was due to the honour and feelings of men, and of parliamentary proceedings, to enable him to state, that the House ought not to proceed to the general question until satisfaction was given for the offence which had been committed.

Mr. Cutlar Ferguson put it to the Committee, whether the hon. Member who had

just sat down was not out of order, in calling "Chair," whilst an hon. Member was explaining. If the hon. member for Hertford was to be stopped in the midst of his speech, it would be the first time in his experience when a Member of that House was prevented from explaining. His hon. friend, the member for Hertford, had drawn a distinction which, if not intelligible to the right hon. Gentleman opposite, was intelligible to the rest of the House. The distinction used by the hon. Member was, that it was a base and unfounded calumny, if the right hon. Gentleman, the member for the University of Cambridge, insinuated that Lord Durham used his influence for so base and sordid a purpose. If such an insinuation was thrown out, no language of a parliamentary nature was too strong to apply to it. The hon. Gentleman, the member for Hertford, did not intend to say, that the right hon. Gentleman had used so base a calumny. What he said was, that if the right hon. Gentleman insinuated such a charge against Lord Durham, it was a base calumny, and that hypothetical assertion was answered by a loud cheer. Was it too much then for the hon. member for Hertford to say, that if those cheers meant to convey approbation of the charge against Lord Durham, they conveyed a base and unfounded insinuation? If the cheers did not mean to convey approbation, they went for nothing at all. If they were intended to convey so vile an insinuation, what was it but the continuation of the same system pursued by Members at the other side of the House day after day? Insinuations of the grossest character were thrown out, day after day, against the character of the noble Lord (Durham) and the rest of his Majesty's Ministers; but, luckily for them they stood too high to be affected by such insinuations; and he admired the conduct of those noble persons, who disdained to answer such imputations.

Sir Henry Hardinge said, that if the hon. Member who had just sat down, intended to act as a peace-maker, he was satisfied that the hon. Member had not succeeded. He, or any other friend of the hon. member for Hertford, did right to endeavour to explain away any thing offensive in the language used by that hon. Member; but that object could not be obtained by casting insinuations on the opposite side of the House, not only in

reference to this occasion, but as to what had passed during the whole course of those debates. He appealed to the Committee, whether the hon. and learned Member had not done this, when he said, alluding to the insinuations which had been supposed to have been thrown out against Lord Durham by his right hon. friend, "It was but a continuation of the same course pursued day after day by Members opposite." For his part, he had no degree of personal feeling against the noble Lord (Durham), but he had used as strong expressions himself, with regard to Gateshead, as had that night fallen from his right hon. friend (Mr. Goulburn), than whom there was no man in that House less capable of making strong assertions reflecting on individuals, or making an unfair attack of any kind on any man. It was wonderful the hon. member for Hertford had not fixed upon some other individual, who had used expressions equally strong with regard to Lord Durham. His right hon. friend, the member for Tamworth (Sir Robert Peel), he (Sir Henry Hardinge), and several others who sat near him, had used precisely the same words. Knowing the county of Durham as he did intimately; believing Lord Durham to have no property in Gateshead, and having no personal hostility to the noble Lord, nor any such motives acting on his mind, he had made the same allusion to him, in even stronger language than that used by his right hon. friend, and no notice whatever had been taken of it; and, without meaning to throw out any threat, but in the same amicable feeling, he did not hesitate to say, that he was prepared to repeat the same words over and over again, whenever the case of Gateshead was broached. But in doing so, he meant to cast no unfair imputation on the noble Lord. Knowing the feelings with which the words had been used, he asked, whether it was not fair to infer, that his right hon. friend had made the same allusions without intending to convey any offensive imputations? When the hon. member for Hertford addressed the party aggrieved (he would not say insulted), and called upon him to take the first step, and to say he did not mean to cast any imputation on Lord Durham, he called on the right hon. Gentleman to take a step which no Gentleman in that House ought to take. After what had passed, it was impossible for his right hon. friend offer an

explanation in the first instance. It was perfectly well known to the hon. member for Hertford, and to the House, that the right hon. member for the University of Cambridge (Mr. Goulburn) was the last man in the House to offend any one. He therefore appealed to the candour of the hon. member for Hertford. This was not a question of obstinacy, as to who should hold out longest, but as to who gave the first offence? His right hon. friend had not given the first offence. He himself had applied the words used by his right hon. friend to Lord Durham, and would do so any night, but without meaning to cast any personal imputation upon the noble Lord. If the hon. member for Hertford gave the original offence, and he must feel he did, as a man of known spirit and honour, the hon. Member ought to get himself and the House out of the difficulty in which he had placed them, and no longer protract this unpleasant discussion.

Mr. Thomas Duncombe.—I am not at all desirous to protract this discussion, but how am I to know that the right hon. Gentleman is offended? The right hon. Gentleman, the member for Newport (Sir H. Hardinge) has endeavoured to explain the words which fell from the right hon. Gentleman; but not a word has fallen from the right hon. Gentleman himself to make me suppose that he is offended. I don't know whether he is offended or not.

Mr. C. W. Wynn.—The House is offended.

Mr. Thomas Duncombe.—It is said the House has been offended. I am very sorry for it. The last thing in my contemplation was to say any thing unparliamentary or uncivil. I must repeat, however, what I said. It was, that if the imputation on Lord Durham, which I understand to have been conveyed by the right hon. Gentleman's language, was meant as an assertion, I would give it a direct contradiction. If it was meant as an insinuation (and I did not say it was an insinuation at all)—but if it was meant as an insinuation, I said it was base and unfounded; and I was going on to prove that it was unfounded by a reference to the population returns. In the case of Gateshead I heard the speech of the right hon. Gentleman who spoke last with great pleasure; but he must excuse me if I say, that in my mind, nothing of the kind was insinuated by him in that discussion like what was this night insinuated by the right hon. member for the

University of Cambridge. The case of Gateshead being past and gone, the right hon. Gent. asserted, that one rule of justice was plied to the county of Kent, but the same rule was not applied to Durham. The right hon. Gentleman then used some language which I tried to translate, and my translation was confirmed by the cheers with which it was received from the opposite side of the House. Upon hearing those cheers, I used the language which has been repeated over and over again, hypothetically, and in that way I must again repeat it, if such an insinuation shall be directed against the noble Lord. Knowing that no advantage, nor no electioneering influence will that noble Lord obtain, nor does he wish to obtain, by this Bill, but that which he at present enjoys, and which he possesses as the unflinching advocate of the rights of the people—an influence, of which I hope nothing will deprive him—no illiberal insinuations against him shall ever be made whilst I have a voice in this House, without my rising to repel them.

Mr. C. W. Wynn rose amidst loud cries of "Question" and great confusion. He said, that if the hon. Members who called "Question" made any distinct motion, he should speak to it. The question was, whether the hon. member for Hertford was or was not in order? According to his own showing, because some hon. Members cheered the construction put by the hon. member for Hertford on the right hon. Member's language, the hon. member for Hertford made use of certain offensive expressions, reflecting particularly on the right hon. member for the University of Cambridge. The provocation which the hon. member for Hertford resented was given by the hon. Members who cheered, and not by the right hon. Gentleman. He did not think there was any thing which fell from his right hon. friend that any one could fairly consider as personally offensive. To say that an Administration had been partial in its arrangements as to return of Members of Parliament, however unfounded in fact, was a different thing from imputing conduct, personally dishonourable, to the members of that Administration.

Lord Milton thought it would conduce to the progress of the Committee, if the Chairman read the question now before them.

Lord Stormont thought this discussion

had lasted a great deal longer than was consistent with the dignity of the House. The question was, whether the member for Hertford had used parliamentary language or not? If the hon. member for Hertford had used parliamentary language, the time of the House should not be wasted—if the contrary, and he had been guilty of violating the parliamentary rule, they would be justified in calling upon the House to assert its privileges, and the decorum of its proceedings, and to report what had taken place to the Speaker. He therefore wished the Chairman to state, whether the Committee was justified in adopting any further proceedings.

Mr. Grosvenor said, that the subject which had occupied the attention of the House appeared to be concluded. The hon. member for Hertford having conceived that an insinuation was cast upon Lord Durham by the right hon. Gentleman, in consequence of a cheer which came from some hon. Members opposite, had stated his regret for having used unparliamentary language. He thought, that expression of his hon. friend ought to conclude this unpleasant discussion.

The Speaker (who had not been in the House in the early part of the discussion) rose, and was received with loud cheers from both sides of the House. He said—Sir; There is no Member in this Committee that more heartily concurs than I do in the anxious wish expressed by more than one hon. Member, that this discussion should now come to a determination, and I have the greater eagerness on this point from the long experience I have had, for in all my parliamentary experience, I have never found a question of disorder mitigated or simplified by being elongated, and the discussion on it protracted. I was not present in the Committee when this discussion commenced, but since I have come down stairs, I have heard enough to satisfy me that some hon. Members have deviated very much from the point which they originally set out from, that unpleasant feelings have been excited, and that impressions have been entertained, which were never intended to be conveyed by the language made use of. If I have collected right expressions have been used by the hon. member for Hertford, which I will not say have been offensive to the right hon. Gent., the member for the University of Cambridge, because, as the hon. member for Hertford

observed, the right hon. Gentleman has not complained of any offence. But, if the offence of disorder has been committed, that is an offence against the Committee itself. Now I have collected, that whatever the offence was, or whatever gave rise to it, the offensive expression originated in an hypothesis. The hon. member for Hertford said, that if what fell from the right hon. Gentleman was meant as an insinuation against a noble Lord, putting it hypothetically, that insinuation was totally unfounded. The hon. member for Hertford, it will be in the recollection of the Committee, stated, in the last speech which he addressed to the Committee, that he regretted having entertained that hypothesis, which led him to use expressions which gave offence to the Committee, and the proper application of which was negated by the sense of the House. Matters have been so explained, I think, that the hon. member for Hertford must be satisfied, that he took offence without cause (and I am not the one to say, that his expressions would have been orderly, even if cause had existed) but it is clear that he was not orderly, as he admits that no cause existed. This being the state of the question, I do not think it necessary we should continue the discussion any further. Having got rid of the difficulty, depend upon it, the longer the discussion is protracted, the more difficult we shall find it to make our way out of it.

The Committee divided on the original question. Ayes 253; Noes 152—Majority 101.

List of the AYES.

Acheson, Viscount	Bouverie, Hon. P. P.
Adam, Admiral C.	Brayen, T.
Adeane, H. J.	Briscoe, J. I.
Agnew, Sir A.	Brougham, W.
Althorp, Viscount	Brougham, J.
Anson, Hon. G.	Browne, J. D.
Astley, Sir J.	Brownlow, C.
Baring, Sir T.	Buck, L. W.
Baring, F. T.	Bulkeley, Sir R. W.
Barnett, C. J.	Bulwer, E. L.
Bayntun, Capt. S. A.	Bulwer, H. L.
Belfast, Earl of	Burke, Sir J.
Benett, J.	Burton, H.
Bentinck, Lord G.	Byng, G. S.
Berkeley, Captain	Byng, G.
Biddulph, R. M.	Calvert, C.
Blackney, W.	Calvert, N.
Blake, Sir F.	Callaghan, D.
Blamire, W.	Calley, T.
Blunt, Sir C.	Campbell, W. F.
Bodkin, J. J.	Campbell, J.
Bouverie, Hon. D. P.	Carter, J. B.

Cavendish, C. C.	Hudson, T.
Cavendish, Lord G.	Hughes, J.
Cavendish, H. F. C.	Hughes, W. H.
Cavendish, W.	Hughes, Colonel
Chapman, M. L.	Hume, J.
Crampton, P. C.	Ingilby, Sir W.
Clifford, Sir A.	James, W.
Clive, E. B.	Jeffrey, Rt. Hon. F.
Colborne, N. W. R.	Jerningham, Hn. H. V.
Copeland, Alderman	Johnstone, Sir J.
Cradock, Col. S.	Johnston, A.
Creevey, T.	King, E. B.
Currie, J.	Knight, H. G.
Curteis, H. B.	Knight, R.
Davies, Col. T. H. H.	Labouchere, H.
Dawson, A.	Lamb, Hon. G.
Denison, W. J.	Lambert, J. S.
Denman, Sir T.	Langston, J. H.
Dixon, J.	Lawley, F.
Don, O'Connor	Leader, N. P.
Duncombe, T. S.	Lemon, Sir C.
Dundas, C.	Lennard, T. B.
Dundas, Hon. T.	Lennox, Lord J. G.
Dundas, Hon. Sir R. L.	Lennox, Lord W.
Dundas, Hon. J. C.	Lennox, Lord A.
Easthope, J.	Lester, B. L.
Ebrington, Viscount	Littleton, E. J.
Ellice, E.	Lloyd, Sir E. P.
Ellis, W.	Loch, James
Evans, Col. De Lacy	Lumley, J. S.
Evans, W. B.	Maberly, Colonel
Evans, W.	Maberly, J.
Ewart, W.	Macdonald, Sir J.
Fergusson, R.	Mackenzie, Sir J.
Ferguson, R. C.	Maule, Hon. W. R.
Ferguson, Sir R.	Mangles, J.
Fitzroy, Lt.-Col. C. A.	Marjoribanks, S.
Fitzgibbon, Hon. R.	Marryatt, J.
Folkes, Sir W.	Marshall, W.
Fordwich, Viscount	Martin, John
Fox, Lieut.-Col.	Macnamara, W. N.
Gillon, W. D.	Mayhew, W.
Gisborne, T.	Milbank, M.
Gordon, R.	Milton, Lord
Graham, Sir S.	Morison, J.
Grant, Right Hon. R.	Moreton, Hon. H. G.
Grattan, James	Mostyn, E. M. L.
Greene, T. G.	Mullins, F. W.
Grosvenor, Rt. Hn. R.	Musgrave, Sir R.
Guise, Sir B. W.	Norton, C. F.
Gurney, R. H.	Nowell, A.
Handley, W. F.	Nugent, Lord
Harcourt, G. V.	O'Connell, D.
Harvey, D. W.	Orde, W.
Hawkins, J.	Osborne, Lord F. G.
Heathcote, G. J.	Offley, F. C.
Heneage, G. F.	Owen, Sir J.
Heron, Sir R.	Paget, T.
Heywood, B.	Palmer, General
Hodges, T. L.	Parnell, Sir H.
Hodgson, John	Payne, Sir P.
Horne, Sir W.	Pendarves, E. W. W.
Hoskins, K.	Penlease, J. S.
Host, Sir J.	Penrhyn, E.
Howard, R.	Pepys, C. C.
Howard, P. H.	Petit, Louis H.
Howick, Viscount	Petre, Hon. E.

Philipps, Sir R.
 Philipps, G. R.
 Phillips, C. M.
 Ponsonby, Hon. G.
 Polhill, Captain
 Portman, E. B.
 Powell, Col. W.
 Power, R.
 Poyntz, W. S.
 Price, Sir R.
 Protheroe, E.
 Ramsbottom, J.
 Ramsden, J. C.
 Rice, Right Hon. T. S.
 Rickford, W.
 Rider, T.
 Roberts, A. W.
 Robinson, Sir G.
 Robinson, G. R.
 Rooper, J. B.
 Ross, H.
 Rumbold, C. E.
 Russell, R. G.
 Russell, John
 Ruthven, E. S.
 Sandford, E. A.
 Sebright, Sir John
 Sheil, R. L.
 Sinclair, G.
 Smith, J. A.
 Smith, M. T.
 Smith, G. R.
 Smith, R. V.
 Spence, G.
 Spencer, Hon. F.
 Stanley, E. J.
 Stanley, Rt. Hn. E. G.
 Staunton, Sir G.
 Stephenson, H. F.
 Stewart, P. M.
 Strutt, E.
 Stuart, Lord P. J.
 Stuart, Lord D. C.
 Talbot, C. R. M.
 Thicknesse, R.
 Thompson, Alderman
 Thomson, Rt. Hn. C. P.
 Throckmorton R. G.
 Tomes, J.
 Torrens, Col.
 Townshend, Lord C.
 Trail, G.
 Tyrrell, C.
 Venables, Alderman
 Vere, J. H.
 Vernon, Hon. G. J.
 Vernon, G. H.
 Vincent, Sir F.
 Walker, C. A.
 Waithman, Alderman
 Warburton, H.
 Warre, John A.
 Waterpark, Lord
 Wason, W. R.
 Watson, Hon. R.
 Webb, Colonel E.
 Western, C. C.
 Westensra, Hon. H.
 Weyland, Major
 Whitbread, W.
 Whitmore, W. W.
 Wilbraham, G.
 Wilks, John
 Williams, W. A.
 Williams, Sir J. H.
 Williamson, Sir H.
 Winnington, Sir T.
 Wood, Alderman
 Wood, John
 Wood, Charles
 Wrightson, W. B.
 Wrottesley, Sir J.

Paired off in Favour.

Anson, Sir G.
 Atherley, Arthur
 Barham, J.
 Belgrave, Earl of
 Bernard, Thomas
 Blount, E.
 Brabazon, Viscount
 Browne, D.
 Calcraft, G. H.
 Chaytor, W. R.
 Chichester, Sir A.
 Chichester, Colonel
 Coke, Thomas W.
 Doyle, Sir J. M.
 Fazakerly, J. N.
 Foley, Hon. T. H.
 Heathcote, Sir G.
 Howard, H.
 Hutchinson, J. H.
 Innes, Sir H.
 Jephson, C. D. O.
 Johnston, J.
 Johnstone, J. H.
 Kennedy, T. F.
 Kemp, T. R.
 Killeen, Lord
 King, Hon. R.
 Knox, Hon. J. H.
 Lambert, J. S.
 Lefevre, C. S.
 Lopez, Sir R.
 Morrison, J.
 Morpeth, Viscount
 Newport, Sir J.
 O'Connell, M.
 O'Ferrall, R.
 O'Neill, Hon. Gen.
 Ossory, Earl of
 Oxmantown, Lord
 Paget, Sir C.
 Palmer, Fysche
 Russell, Lord J.
 Skipwith, Sir G.
 Slaney, R. A.
 Strickland, George
 Tufton, Hon. H.
 Tynte, Charles
 Uxbridge, Earl of

White, S.
 White, Colonel
 TELLER.
 Duncannon, Viscount

Lord Althorp moved, as an addition to this schedule, that the borough of Sandwich should be joined with Deal and Walmer, in Kent.

Sir Charles Wetherell said, this was another of the grand junctions proposed by Ministers, in the propriety of which he could not concur. If he was not greatly misinformed, the people of Sandwich were averse to the union with Deal and Walmer, and would have thought it more expedient had Sandwich been united with Ramsgate or Margate. They also complained, that under this Bill, by excluding the non-resident electors, Sandwich would ultimately be converted into a nomination borough, under the control of the Admiralty.

Mr. Marryat supported the proposition of Government. Deal was but four miles from Sandwich, whilst Ramsgate was seven miles, and Margate nine miles. It was much more expedient, therefore, that Sandwich should be united with Deal than with either Ramsgate or Margate. If he thought it would render Sandwich a nomination borough, or put it under the control of the Admiralty, he should oppose the arrangement; but he had no idea that it would produce any such effect.

Mr. Croker thought the hon. Gentleman mistaken, if he stated, that Sandwich was only four miles from Deal. It might be so by some bye-road, but the distance between the two places, by the regular route, was at least six miles.

Mr. Marryatt knew that by one road it was six miles, but by the straight road it was only four miles.

Sir Charles Wetherell found, when he travelled that way, he had to pay seven miles for post horses.

Question carried.

Lord Althorp proposed, as an addition to the schedule, that the parish of Christchurch, and the liberty of the Clink, be added to the borough of Southwark.

Sir Charles Wetherell concurred in the propriety of the proposition, and added, the liberty of the Clink was well known as the place where the first play-house was erected.

Mr. Charles Calvert was satisfied the arrangement would be hailed with great satisfaction. The parish of Christchurch was formerly included in the borough of Southwark, and possessed the privilege of voting at the election of Members for that

place, and he could not understand how it came to lose that right, which he was happy to find was to be restored.

Mr. *William Brougham* was also favourable to the addition of the parish of Christchurch, and the liberty of the Clink, to the borough of Southwark, on account of the extent and importance of those districts.

Question agreed to; and the clause, as amended, ordered to stand part of the Bill.

The Chairman proceeded to read the sixth clause, when

Mr. *C. W. Wynn* said, that it involved a new subject, of great interest, and which ought not to be gone into at so late an hour. As yet there had been no discussion with respect to the Welsh boroughs.

Lord *Althorp* said, the discussion of a clause usually occupied them for several nights, and he did not see, that the case of the Welsh boroughs would be prejudiced by proceeding with it at present. If his right hon. friend wished to make any observations on the clause, he could have no better opportunity than the present.

Mr. *Cresset Pelham* said, it would certainly be more convenient to postpone the consideration of the clause; many of the provisions contained in it would necessarily lead to long discussion.

The sixth clause was then read as follows:—"And be it enacted, that after the end of this present Parliament, each of the places named in the first column of the schedule (F) to this Act annexed, shall have a share in the election of a Member to serve in Parliament for the shire-town or borough mentioned in conjunction therewith, and named in the second column of the said schedule (F)."

Mr. *Frankland Lewis* hoped, that the operation of this clause would be confined to the places within the principality of Wales, and that the Commissioners would not possess the power of adding to the contributory boroughs of Radnorshire, that portion of the parish of Presteign which extended into Herefordshire, which was under a separate and distinct jurisdiction, and had no connexion with that part of the parish which was in Radnorshire.

Lord *Althorp* said, that if the part of Presteign which extended into Hereford, was merely a continuation of the town, he should feel great objection in acceding to the desire of the hon. Member.

Mr. *Frankland Lewis* said, that the

whole of the town of Presteign was in the principality; that part of the parish which extended into Herefordshire, was composed entirely of a rural population, and did not contain more than six or eight houses.

Mr. *C. W. Wynn* feared, that the most injurious consequences would result from the operation of this part of the Bill, owing to the large number of the freeholders in boroughs which were taken from the constituency of the counties. They could not, according to the provisions contained therein, have votes both for the county and borough. He objected also to the great extent of ground which Ministers were obliged to travel over, in order to make up the districts of boroughs in Wales.

Colonel *Wood* said, that the constituency of the counties of Wales was not great, and that it would be much diminished by the formation of the district boroughs, the voters of which could not vote for the counties.

Lord *Althorp* said, the objections of his right hon. friend, and of the hon. Gentleman, rather applied to a clause in the Bill to which they had not yet arrived, and they could not, on the discussion of the question, of what boroughs were to be placed in the schedule, very conveniently consider the subject to which reference had been made. He was not aware, however, that the difficulties attending the permitting freeholders to have votes at borough elections would be attended with the consequences apprehended, or be of the insuperable nature described.

Mr. *C. W. Wynn* said, the effects of the arrangement proposed in this part of the Bill would be considerable in some of the Welsh counties. It must be obvious, that these boroughs, from having so many contributory branches, would take a larger portion of the constituency from the Welsh counties, than the English boroughs did from the respective counties in which they were situated. There were not so many boroughs in Wales in proportion, but still he feared the result must be such as he had stated. The question appeared to be, whether they would permit freeholders to vote at some of the elections for boroughs; and he believed this proposition originated in the difficulty of gaining a competent constituency in such boroughs, without the addition of such freeholders. He believed the population of the borough of Denbigh amounted to about 7,000, and the county altogether contained 70,000

inhabitants. The whole of the freeholders, therefore, among one-tenth of the inhabitants, were abstracted from the county. He could not ascertain the precise number of such freeholders, but it must be considerable, from the nature of the freeholds in towns. The same effect would also prevail in other counties, and his noble friend must observe, this made a material alteration, when they considered the number of boroughs in each case.

Colonel *Wood* considered it essential, before they proceeded to legislate upon this subject, to make the Committee aware of the probable consequences that would result from it to the Welsh counties. According to the returns on the Table, there were, in the town of Radnor, 127 houses rated at 10*l.* per annum and upwards. It was clear, that in this district of boroughs, the freeholders must be taken, in order to make up the necessary number of voters. This must also be the case in the Cardigan and Anglesea districts, and probably also in other places. Indeed, if he was not very much misinformed, all the boroughs, with the exception of one or two, had less than 300 householders of the required qualification adopted by the provisions of this Bill. He could not agree in the propriety of abstracting freeholders from counties to make up constituencies for boroughs. It must also be observed, in reference to this remark, that, under the present system, none of the Welsh boroughs were "nomination boroughs," but they were all open to contests. He observed, that the hon. member for Worcester had given notice of a motion, that all freeholders in towns should have votes for the places in which they were situated, and not for the county. This would, therefore, afford an opportunity for discussing the whole question, and he should defer his remarks until that time; but he would at present observe, that, in his opinion, it would be advisable to reduce the qualification to 5*l.* householders in remote country places, and to take the utmost care that accurate returns of the various classes were made. On the whole, he considered, as there appeared so many difficulties to contend with, that the best way would be, to let these boroughs alone.

Lord *Althorp* did not think the number of freeholders so great in boroughs as to occasion the inconvenience to the county constituencies which his right hon. friend

appeared to apprehend. However, though alterations might be necessary in this respect, this was not the proper time to consider them. He could not agree, however, to the suggestion, that the freeholders in boroughs should have votes for the counties in which they were situated, as well as for the borough. He did not anticipate any great difficulties from the operation of this clause, or that the effect would be such as the hon. Member seemed to anticipate.

Mr. *Frankland Lewis* said, the effect of the operation of the Bill would be considerable in the county of Radnor; but he did not concur in all the objections entertained by the right hon. Gentleman who had made them. The great body of the voters that would be introduced into the borough constituencies, would be persons residing in farm-houses, in the vicinity of towns. He would, however, suggest, that instead of the qualification being the rental of the house, it should be, the quantity of land attached to the farm. There were many persons in the county of Radnor, who held extensive tracts of land, and yet lived in farm-houses which were not rated so high as 10*l.* per annum. On the part of the freeholders of Radnorshire, he did not object to the clause of the Bill relating to the qualification to vote for counties; but he protested against other parts of it which related to the borough of Radnor. Together with its contributory boroughs, it contained a population of 5,000 inhabitants; and he believed the noble Lord would materially improve the working of his Bill in these places, if he allowed the qualification to extend to holders of a certain quantity of land, in addition to the holders of houses at 10*l.* per annum rental.

Colonel *Wood* was quite sure the hon. Gentleman's proposition of extending the qualification to holders of certain quantities of land, could not be carried into effect. It would lead to the utmost confusion, as must be apparent, when the amazing difference in the value of different descriptions of land was considered. It was a much more certain means to have the qualification rest entirely on houses, and to adopt his suggestion as to reducing its amount in remote districts. In reference to what had been said as to Radnor, he begged to remark, that the rural portion of that borough contained 10,000 acres, which might account for his hon. friend being favourable to a landed qualification,

He, however, again declared, such an arrangement would be impolitic and impracticable. They must act cautiously if they did not intend to make close boroughs in Wales, where at present none existed.

Mr. C. W. Wynn said, that he could not agree in the propriety of extending the borough rights over such extensive tracts of land as had been proposed. He believed that in most instances his noble friend would have no difficulty in finding 300 householders, with the qualification required, in a much smaller compass. From inquiries he had made, he had strong reasons for suspecting, that the return laid on the Table of the number of 107 householders was, in general, much below the real number. In the principality of Wales, he knew it to be most inaccurate. He would take the opportunity of making a few allusions to the general question of the Representation in Wales. The House was most probably aware, that, until the reign of Henry 8th, no steps were taken to introduce the English institutions into the principality. By a statute of the 34th of Henry 8th, the Welsh counties, and a certain number of the Welsh boroughs, were authorised to elect twenty-four Members to this House. The county of Monmouth was separated from Wales, and was allowed to return two county Members, and one for the county-town; while the Welsh counties were only to return one county Member each, and one Member for the combined boroughs in each shire, except that of Merioneth. This was settled at a time when the population of Wales, as well as its wealth and importance, were much less in proportion to England than at present. Yet at that time, when England returned about two-thirds of the number of Members it now does, it was thought that Wales, with Monmouthshire, was entitled to twenty-seven Members. In the time of Henry 8th, the whole Representation of England was not near so great as at present. Considerable additions were made to the number of Members in the reigns of Elizabeth and the Stuarts. No addition, however, had been made to the number of Members for Wales since the period when that country was first allowed to send Members to Parliament. There were only twenty-four Representatives for the principality—namely, eleven for North Wales, and thirteen for South Wales; which was a very inadequate Representation, when

the wealth and population of that portion of the country were compared with the rest of the empire. By this Bill it was proposed that two additional Members should be granted; but it was most extraordinary that they were both to be given to the same county, to the exclusion of the rest of Wales. The population of the county of Glamorgan, including Merthyr Tydvil, was 103,000, who now returned one county and one borough Member. Two county and two borough Members were, by this Bill, allotted to this county. According to the principle laid down by the noble Lord, in the amended Bill, any county with above 100,000 inhabitants, was entitled to three county Members, besides town Members. If, therefore, this Bill was to apply generally, the counties of Wales, with more than half that number of inhabitants, were surely entitled to more than one Member. The county of Carmarthen, with a population of upwards of 90,000 inhabitants—within 10,000 of the number of persons in Glamorganshire—had only one Member for the county, and one for its boroughs. If Ministers had acted consistently, they would have granted at least one additional county Representative to Carmarthenshire, as well as to Glamorganshire. The county of Bedford, with a population of 84,000, returned four Members, two for the county, and two for the town; and Westmorland, with a population of 51,000, had two Members for the county, but by the Bill would have none for the towns. Again, the county of Huntingdon, with 48,000 inhabitants, would retain three Members, two for the county, and one for the town; while Cardiganshire, with 57,000 inhabitants, Carnarvonshire, with nearly the same number, Montgomeryshire, with 59,000, Denbighshire, with 76,000, and Pembrokeshire, with 74,000, were to have only one county Member each. Why, he would ask, should Merionethshire, with 34,000 inhabitants, have in all only one Member, while Rutland, with 18,000, had two? From the county of Merioneth, indeed, he had some days ago presented a petition, praying that it might be allowed a Member to represent its boroughs; but if the inhabitants of those boroughs were to be subtracted from the county constituency, it would effect such a diminution of their number of voters, that he should himself much prefer

giving to it an additional county Member. If Ministers professed to act upon principle, they ought to apply the same rule to every case. Wales had been in a state of constant collision for upwards of three centuries: from the time of its conquest in the reign of Edward 1st, until the middle of the reign of Henry 8th, when steps had been taken to introduce the institutions of this country, and since that period, peace had prevailed, and civilization had extended itself, so that the people were fully equal in intelligence to those in any other of the provinces. Before the people were allowed to send Members to that House, they were riotous and turbulent, but since that time tranquillity had prevailed. He contended, that his Majesty's Ministers would not act with fairness and justice, if they did not give an additional Member to each of the Welsh counties.

Colonel *Wood* said, that as the right hon. Gentleman, the member for Montgomeryshire, had, in the course of the observations which he had addressed to the Committee, insisted on the right of several Welsh counties to return additional Members, he thought that Brecknockshire, which contained a population of 44,000 souls, was equally entitled to two Members, as most of the boroughs in England, and some of the counties, to which the Bill allowed that privilege.

Lord *Milton* confessed, that the observations which had been made by the right hon. member for Montgomery had made considerable impression upon him. They were worthy of consideration, and he therefore hoped, that the members of his Majesty's Government had not irrevocably made up their minds as to the distribution of the Representation in and through Wales. He felt convinced, that the scheme of the noble Lord, if carried into operation in its present shape, would have the effect of throwing all the Representation into the hands of the aristocracy of the principality, to the utter destruction of the free and incorrupt return of Members by independent bodies of the community. The Welsh counties were in general much smaller than the English, and were, on that account, more likely to fall under the influence of individuals. Whatever the intentions of Ministers might be with regard to the English and Irish counties and boroughs, he trusted they would most fully consider the peculiar situation of the Welsh counties, before they determined

to separate the borough constituency from them.

Mr. *Dixon* did not wish to interrupt the course of the Debate, but, as a Member representing a large Scotch constituency, he felt it necessary—in consequence of the two first schedules of the Bill having been agreed to, and which had left a bank of borough Members, if he might so term them, in the hands of Ministers, to be disposed of in the most advantageous manner for the general weal—to express his hope, that this bank would not be exhausted before a due share of its contents was apportioned to the Representation of Scotland, which was advancing more rapidly in wealth and population than even England itself was, but by this Bill was worse treated than either of the other parts of the empire. She had a fair claim to an increase in her Representation proportionate to her increase in power, in opulence, in manufactures, and in general wealth, since the Union. He for one was determined to enforce her claims. He was grateful for the addition given to Glasgow, but that was not enough. Her counties ought to be better represented. Certainly a great improvement would be made in her constituency by the Bill, but he wished to see the Representatives also increased in numbers. The industry and intelligence of her people, admirably qualifying them to exercise the franchise demanded at the hands of Parliament that they should have ample justice done to them, and those qualities were a guarantee that they would exercise the franchise well. It had been hinted, that if such claims were made in behalf of that country, larger demands would come in from Ireland; but he should not be deterred by any consideration of that kind from advancing the fair rights of the northern portion of the island. He thought the county of Dumbarton ought to be restored to its situation in the Representation, from which it had, with great injustice, been attempted to be displaced. Unless some distribution more favourable to Scotland were determined on than that now proposed, he could acquaint the Ministers, that they would find it more difficult than they imagined, to carry the Scotch Reform Bill—he should certainly oppose it.

Lord *Althorp* had listened with attention to the arguments of the hon. Gentleman, and he thought every one must clearly perceive, that there would be a great difficulty in increasing the county

Representation of Scotland, to a greater extent than had been proposed by the Bill introduced for the purpose of amending the Representation of that country. He could certainly hold out no hope that it was the intention of Government to accede to the desire of the hon. member for Glasgow. With respect to the Representation of Wales, he had been much surprised at hearing his right hon. friend object to the proposition for increasing the number of boroughs in the principality; for he was perfectly satisfied, that, with one or two exceptions, that increase would cause a very small diminution in the county constituencies, and on the whole, tend very much to place the county Representation of Wales on a much more respectable foundation than his right hon. friend anticipated. He therefore trusted they would be allowed to proceed with this schedule, and to discuss its provisions, each on its own merits.

The Chairman then read the introductory clause to schedule F, when

Lord Althorp moved, that the Chairman report progress, and ask leave to sit again to-morrow.—Agreed to. The House resumed.

The *Speaker*, on resuming the Chair, said, he hoped the House would permit him to address a few words to them, before their separation, in reference to the unpleasant circumstance which had taken place in the Committee. He regretted, that he had not been in the House at the moment when the motion was made for the House resuming, because, he should have much preferred making the few observations which he had to make in the Committee, in which the occurrence had taken place. It would be for the House to judge, whether the views which he had taken on the subject were right or wrong. He could sincerely assert, that he had honestly and fairly addressed himself to the misunderstanding which had occurred, directing his best endeavours, as he always did, to the maintenance of the dignity of the House, and to the preservation of the freedom of debate; at the same time, that he looked with the utmost delicacy and anxiety to the honour and character of every individual Member. He should have been glad if he had had an opportunity of obtaining the general assent of the Committee to his opinion, that all that had passed should be obliterated and put into complete oblivion, knowing, as they all

must, how intemperate language sometimes escaped in the course of earnest debate—how difficult it was to account for the impression created by involuntary expressions, and feeling, as he did, from his experience in the Chair, that these cases never occurred without its being the most gratifying result to all parties, that they should have an opportunity of having all unpleasant feeling removed, by an expression of the judgment of the House, that no offence was meant.

Lord *Althorp* said, he could not avoid expressing the feeling which he was convinced was unanimous in the House, as to the mode in which the Speaker, on such occasions, always conducted himself, and of his constant endeavours, not only to preserve the dignity of the House, but also to keep untouched and untarnished, the honour of every individual Member. Although the language which had been used was such as he regretted, yet it had been used hypothetically, and the hon. Member who had used it, subsequently stated so, and apologised for it. It appeared to him, that the course which the Speaker had taken, was the most consistent with the dignity of the House, and that every Member would be satisfied with the further communication which had been made by the right hon. Gentleman.

Sir *George Murray* said, that as it appeared to be the general sense of the Committee, that the expressions which fell from the hon. Member in the course of the discussion, had been used inadvertently, and as such, the hon. Gentleman had apologised for them; he hoped and trusted, that the sense of that apology expressed by the House, would satisfy his right hon. friend. He could not refrain, at the present opportunity, from expressing his strong sense of the impartiality which always marked the conduct of the Speaker on such occasions, and which so much tended to preserve order in their debates. If any thing was to be regretted in the present instance, it was his accidental absence at the moment when the misunderstanding had arisen, but which had now been placed by him upon its proper footing.

The conversation here dropped.

The Committee to sit again the next day.

PROVISION FOR THE DUCHESS OF KENT.] On the Motion of Lord Althorp

the House went into Committee on the Duchess of Kent's Annuity Bill.

Mr. *Hume* begged to know from the noble Lord, whether he had it in contemplation to make a provision, that the allowance of 10,000*l.*, granted for the maintenance of the Princess Victoria, should revert to the public in case of her decease?

Lord *Althorp* said, that in the Bill, and the Resolution upon which it was founded, the allowance was stated to be for the honourable maintenance and education of the Princess Victoria; and he conceived, therefore, the effect of that provision to be, that the allowance would cease, in case of the decease of her royal highness.

Mr. *Hume* then asked, whether, if his present Majesty should have any children, that would make any difference? as the Princess Victoria would then cease to be the presumptive heiress to the throne.

Lord *Althorp* said, that was a point which had not been taken into consideration, but if the hon. Gentleman would permit the Committee to proceed now, the subject should be considered, and the result stated, when the report was brought up.

The Bill went through the Committee, and the House resumed.

ADMINISTRATION OF JUSTICE (IRELAND) BILL.] Mr. *Crampton* said, as he understood the hon. and learned member for Kerry had some amendments to propose with respect to this Bill, he proposed, that the Committee upon it should be deferred to Monday next.

Mr. *Ruthven* said, it was extremely inconsistent, that a measure of this description, involving so many important considerations to the administration of justice in Ireland, should be so frequently postponed, without a probability of its being brought under discussion. He, therefore, called upon the hon. and learned Gentleman, to fix some definite period for the consideration of this important measure.

Mr. *Crampton* was perfectly alive to the necessity of pressing the Bill through the House with every possible despatch, consistent with a due and proper consideration of its provisions. But, in the present state of the business of the House, he felt it impossible to name any precise time when this desirable object could be accomplished.

Mr. *Stanley* understood his noble friend, that Monday next was to be wholly devoted to the consideration of measures connected with Ireland; if so, this Bill could then be brought under discussion. Committee deferred.

MILITIA PAY BILL.] Mr. *Spring Rice* moved, that the House do resolve itself into a Committee on this Bill.

Mr. *Hume* must protest against the useless, unnecessary, and extravagant manner, in which the Government were throwing away the public money, by continuing to call out the militia. Since the conclusion of the war, 3,000,000*l.*, or 4,000,000*l.*, had been wasted in keeping up a force, totally inadequate to the performance of any actual service. He did not intend to oppose the progress of the Bill, but he could not allow it to pass without protesting against the wanton expenditure caused by it.

Bill committed.

HOUSE OF COMMONS,

Wednesday, August 10, 1831.

MINUTES.] New Writ issued; for Carmarthen (Borough), no return having been made to the last Writ.

Bills. Read a first time; Exchequer Courts (Scotland).

To extend the provisions of an Act of 1st and 2nd George 4th, for excluding certain Judicial Officers in Ireland from Members of the House of Commons. Committed; being Receiver of Taxes.

Returns ordered. On the Motion of Mr. *HUME*, for a return from each Colony on foreign possession, stating the date at which it was captured, ceded, or settled; the number of the population, distinguishing White from Coloured, and free from Slaves, up to the latest period, and as far as the same can be complied with, and whether governed by Legislative Assemblies, or by order of the King in Council, stating also, the value of the Exports and Imports into each of these Colonies for each of the past three years.

Petitions presented. By Sir W. *FOULKES*, from the Owners and Occupiers of Land in the county of Norfolk; and by Mr. *WATSON*, from the Owners of Land, and Corn-growers of the Eastern part of Kent, against the use of Molasses in Distilleries.

BOROUGH OF CARMARTHEN.] Sir *Matthew White Ridley* brought up the report of the Committee appointed to examine the petition complaining that no return had been made of the late election for the borough of Carmarthen. The report stated, that the Sheriffs of the county and of the borough of Carmarthen were not justified by the circumstances proved before this Committee, in making the special return to the Crown-office, dated 30th April, 1831; that the conduct of the sheriffs was neither corrupt nor partial; that the said election was attended by great

noise, disturbance, and violence; but that the said Sheriffs did not take effectual means to preserve the freedom of election, nor to restore it when violated, and that they should have continued their efforts to keep the poll open as long as allowed by law; that no return has been made to the writ for a Burgess to serve in Parliament for the borough of Carmarthen; that a new Writ should be issued; that the petition was neither frivolous nor vexatious; and that the opposition to the said petition was neither frivolous nor vexatious.

A new Writ was ordered to be issued for the borough.

JEDBURGH DISTRICT OF BURGHS.]

Sir George Clerk brought up the Report of the Committee appointed to examine the petition against the return made by the Jedburgh District of Burghs. The report stated, that Robert Steuart, Esq. was not duly elected, and ought not to have been returned to serve in Parliament for the burghs; that Sir Adolphus John Dalrymple, Bart., was duly elected, and should have been returned; that no person appeared before the Committee on behalf of Robert Steuart, Esq.; that the petition was not frivolous or vexatious; that the conduct of Robert Steuart, Esq., was vexatious, his return having been attended by a gross violation of the public peace; and also in having sanctioned the forcible abduction of one of the voters, so as to prevent him from voting.—The return to be amended accordingly.

STATE OF THE IRISH POOR.] Mr. *Brownlow*, in rising to present a Petition, which was of so much importance that he had thought it necessary to adopt the unusual course of giving notice of his intention, hoped he should be allowed to trespass for a few moments on the attention of the House; and he trusted, however inadequate he might be to describe the sufferings and distress of the Irish population, which was the subject of the petition, that it would receive all that consideration which was due to a question involving so much happiness, and of so much national importance. The distresses of the Irish poor were proverbial in this House, and unparalleled in any part of the civilized world. He believed, that however melancholy, it was a fact, that that distress was increasing every day, and that it was getting worse and worse;

that not even in Ireland, in any former period of its history, was to be found so much misery as at present. It was under these circumstances, and at this period, the Roman Catholic Bishops of Ireland, to the number of twenty-four, who had signed this petition in a synod, assembled at Dublin, came before this House as faithful witnesses of the great national calamity which they described in the petition. It was under these circumstances that these Bishops came forward to describe the distress, and to point out a remedy for it. They stated, that they had witnessed, during a series of years, such distress among the labouring population of Ireland, as should arrest the attention of this House and of the country at large; that they had marked the progress of that distress, which was hourly increasing; that that distress shewed itself, as it always would, in disaffection and secret and illegal combinations; that the great cause of political and religious discord having been removed in Ireland, the Government had not yet turned its attention to the state of the destitute and labouring population, so as to put the people of Ireland in a better state, and enable them to live as became the members of a free country. They declared, that the people were in a state of starvation, and that they could not think it was consistent with justice, or with Christian charity, that the population should be left to starve in the land which they enriched by their labour, and that one part of the inhabitants should be rioting in profusion, while the great majority was unable to procure the means of satisfying the common wants of humanity. In a language which, in his opinion, was, of all others, the most appropriate to the subject, the petitioners implored them, for the sake of Him who has declared himself the Father of the indigent—for the sake of Him who is provoked to anger when the poor suffer oppression—to adopt some immediate means to relieve the people of Ireland from their present condition, lest that Being should be moved to wrath at their culpable indifference. For himself he could only say, as an addition to the eloquent appeal of the petitioners, that he adopted their description of the grievances of Ireland, and that he knew their statement of the condition of the people was anything but exaggerated. Headopted, to the fullest extent, their suggestion with respect to the remedy; and he thought

that the property of Ireland should be made responsible for the poverty of Ireland. All other measures would, he was convinced, prove mere palliatives, till they adopted some permanent provision for the indigent and helpless. He wished, therefore, that the Government should pay immediate attention to this important subject; it could never be said, that a Government was doing its duty when the lives of the people were in jeopardy from disease and famine. As a landed proprietor, he approved of the plan for giving Poor-laws to Ireland; and, so far from thinking that his property would be injured by it, he believed, on the contrary, that the general value of all the landed property of that country would be very considerably increased.

Colonel *Conolly* supported the prayer of the petition, and expressed himself of the same opinion as the member for Armagh, that the general value of landed property would be much increased by the introduction of Poor-laws into Ireland. He hoped the Government would turn their attention to the subject, and adopt the suggestion of the petition.

Mr. *John Brown* said, he had no intention of entering into the discussion of the question at that moment. He would reserve himself for a more fit occasion, when the subject should come fully before the House. He would only say now, that he should support a modified system of Poor-laws, and he was glad to find that the prejudices against them were rapidly disappearing. He had long thought, that the common laws of humanity—that the general interests of Ireland itself—required that some legal provision should be made for the poor of Ireland. This would produce that most desirable result, the co-operation of the higher classes for improving the moral condition of the peasantry; and, above all, it was desirable as a means of catching those blood-suckers, the absentee proprietors, who had been the bane and curse of Ireland. That country could never be regenerated unless the interests of the higher and lower orders were made one and the same.

Mr. *Sadler* supported the general principle of the application of a system of Poor-laws to Ireland, but would postpone till another opportunity, stating the reasons why he thought that such a measure would be attended with the best effects. He had been requested by several of the

right reverend Prelates who had signed it to express his concurrence with its prayer: and he could not allow the opportunity to pass of saying, that it had his hearty concurrence.

Mr. *Crampton*, as a private Member of that House, and unconnected with the Government, would say, that he was not averse to the introduction of some system of Poor-laws into Ireland, but he thought they should recollect, that it was a step which once taken, could never be recalled, and that there were two very different points connected with the question of introducing these laws into Ireland. As far as a fund raised by compulsory enactment, was to be applied to the support of the aged and infirm in hospitals and poor-houses, he thought the experiment was one which might be tried with safety; but he confessed, when they went further, and proposed to extend to Ireland those laws for the support of the unemployed which were in operation in this country, he could not very clearly see his way. He begged it to be understood, that he said this, not as connected with the Government, but merely as a Member of that House. Government, he conceived, ought to pause before it adopted so important a measure, which, once carried, could not be easily revoked. He had reason to believe that the subject was under the consideration of Ministers, who were as anxious to relieve the distresses of the people as any hon. Member of that House.

Mr. *Grattan* regretted much, that on such an important question no Minister of the Crown was present, nor any one connected with Ireland or the Government; not even the hon. member for Limerick (Mr. *Spring Rice*), who took up the question of the application of Poor-laws to Ireland about a-year and a-half ago, and afterwards left it where he found it. The hon. and learned Member had given Government a caution which was wholly unnecessary, as the same caution had been given, to his knowledge, every year for the last seven years. Having always been an advocate for Poor-laws in Ireland, he was determined never to lose any opportunity which presented itself of compelling the absentee proprietors to bear their share of the burthens suffered by the residents. He implored hon. Members not to give up the subject until something was done for Ireland.

Many parts of Ireland, now uncultivated, were capable of being cultivated at a small expense, and would afford employment to many of the labouring population. But without Poor-laws it was impossible that anything could be done for Ireland. Individuals had repeatedly tried to improve their estates, but the moment they made any progress, a crowd of the miserable and the indigent came down on them, and destroyed by their presence the whole of the benefits derived from the labours of the occupiers of those estates. He rejoiced much, that the Catholic Bishops had taken the lead in petitioning on this subject, and he hoped the Protestant Bishops, for the sake of their Church, and of their character, would follow the example, and prove themselves ready to sacrifice a portion of their overgrown possessions for the benefit of those from whom they derived their gains. Much, however, as the opinions of the House seemed to be in favour of Poor-laws, there was no tangible proposition yet made on the subject: and as no other Member seemed disposed to take the matter under his care, he now gave notice of his intention to move to-morrow for leave to bring in a Bill to provide relief for the aged and the helpless, and to enforce the means of procuring employment for the population of Ireland. This would give hon. Members an opportunity of supporting their opinions, and he hoped the hon. member for Limerick (Mr. Spring Rice) would then condescend to be present.

Mr. O'Connell begged it to be remembered, that this tale of misery, so often repeated, and now described by the Roman Catholic Bishops, was denied by no person—and more competent and disinterested witnesses could not be found than the Roman Catholic Bishops. These miseries had been accumulating even during a thirty-two years' Union with England, and it was said now, that the Government should pause; why, while Government was pausing, the people were starving. For two and thirty years the Imperial Parliament had afforded Ireland no relief, and what had been done or proposed by the Members of the present Administration? Nothing. He challenged any man to point out a measure since they came into office intended to relieve the evils of Ireland. Not one had been proposed; and he would not be guilty of the hypocrisy of saying, that he could continue to support

them. The right hon. Secretary for Ireland said, he laboured for nine hours a day, but he was absent then; and where was the use of his labours, if Ireland derived no benefit from them? He could not, therefore, postpone his observations on the course pursued with reference to Ireland, because the right hon. Gentleman was absent. What, then, was the state of Ireland? Justice was refused, murders were committed with impunity, outrages were committed in open day, the great mass of the people were starving, and yet, on the face of all that, a Bill had passed the House of Lords for expending an immense sum in the erection of new churches in that country. The Bill might have passed quietly there, but he would not allow it to pass unquestioned here. The people of Ireland were starving. Something must be done. The time was come when there must be a Poor-rate, and the subject ought to be attacked directly. There had come an end to social order in Ireland. The bonds of society were broken asunder. Desolation stalked in her streets; and famine prowled in her fertile valleys. The cattle and the corn of the country were exporting, and the starving peasantry were looking on at the export. What part of the world was in such a condition as Ireland? But by whom had Ireland been governed?—By the English. "Oh, but," it was said, "we have good intentions towards Ireland." The Italian proverb said, that "Hell was paved with good intentions." He had expected much from the present promising Administration, but they had performed nothing; and the feelings with which he always regarded the subject were especially irritated by the Bill for building churches in Ireland, which had been sent down by the House of Lords.

Mr. Portman admitted, with the hon. member for Kerry, that good intentions were not sufficient. He was for a properly arranged system of Poor-laws in Ireland. But he could not for a moment believe that his right hon. friend, the Chief Secretary for Ireland, was a man who could be satisfied by merely professing good intentions; and he was sure, that he was labouring hard to prepare a plan calculated to produce the most beneficial consequences. He hoped that some well-digested system of Poor-laws would be introduced into Ireland, such a system as would make it the interest of the pro-

prietors of the soil to improve the condition of those around them. On this subject he begged leave to read to the House an extract from an opinion given by a very learned person in the beginning of the seventeenth century, as to what the operation of the Poor-laws ought to be. The writer was a member of one of the learned Professions, and speaking of the Poor-laws, he said, "The Act declareth to the possessors of property, 'your interest shall from henceforth be united with your duty; and the exercise of judicious and useful charity shall operate to increase the value of your possessions.' It telleth them to educate the young, to encourage the industrious, to restore health to the sick, and to render all their parishioners capable of being useful to themselves and to the community—these are duties, enjoined by Divine authority but we will make them the conditions annexed to the improvement and enjoyment of worldly property. If your cottagers' children are brought up in early habits of piety and industry, they will to you be a benefit, and not a burthen; and they will be useful in their own parish, or acquire a settlement in another at a tender age. If you encourage industry among your parishioners, you and your parish shall receive the benefit of it. If you are attentive to the health of the poor, your stock of labour shall be augmented; and the expense of medical attendance shall be diminished. If you give instruction and suitable occupation to the blind, the lame, the helpless, and the ignorant, you will enable them in part, if not entirely, to maintain themselves, instead of being supported at your cost. But if you neglect all these duties; if you break these conditions annexed to the improvement and enjoyment of your property; your rental shall be reduced, your burthen increased, and those possessions which promised you rest and enjoyment, shall be the source of vexation and disappointment; when you find that, through your own default, the greater part of your worldly estate must be applied by law, as a parish rate, to give a wretched existence to vice and idleness." The writer's name was Gnage, and his book was dated Whitefriars, in the year 1604, on the 1st of April. That was the kind of principle which he should like to see adopted in the application of any measure to Ireland; so as to make charity the interest of the

person who gave, as well as of him who received relief. He hoped that the hon. member for Wicklow, whose good intentions he was well aware of, would not press his motion hastily, but that the most ample consideration would be given before a system of Poor-laws was introduced into Ireland.

Colonel *Torrens* observed, that the first thing was, to ascertain the nature and cause of the disease to which they were all equally anxious to apply a remedy. All were anxious for the improvement of Ireland. The only question was, of what improvement it was susceptible. As to manufacturing improvement, that was out of the question. No one could expect, that the manufactures of Yorkshire and Wiltshire could be transferred to Ireland. The only improvement to which they could look was agricultural improvement. But in what did agricultural improvement consist? In one respect, in the consolidation of small farms into large ones. The effect of that, however, would be, to increase a population already superabundant. Poor-laws would, in his opinion, not afford any remedy for the existing evils. Their effect would be simply to make all the poor co-proprietors of the soil—to bring down the higher classes, without relieving the lower—to confound all classes in a dead level, and to leave no one at liberty and leisure to sound the depths of science, or cultivate the fields of knowledge. If the Legislature wished to avoid the extremities of disorder, if they wished to avoid the shedding of torrents of blood in Ireland, the surplus population of that country must be removed to the fertile plains of our colonies.

Mr. *Crampton* hoped he might be allowed to say a few words, in reply to the hon. and learned member for Kerry. That hon. and learned Member seemed to forget, that the present Government had not been more than six months in office, during which it had been zealously employed in collecting information and devising means for relieving the distresses felt in Ireland. Whatever the Administration might think, he entertained it as his private opinion, that a provision, extending no farther than was necessary for the relief of the aged and infirm, would be a greater boon in Ireland than any poor laws. The subject, however, was one which required the deepest consideration, and from no one, he was sure, would it

receive that consideration more fully than from his right hon. friend, the Chief Secretary for Ireland, who had been the subject of the attack of the hon. and learned member for Kerry. From no man could such an attack come with a worse grace than from the hon. and learned Gentleman. For when did the hon. and learned Gentleman become a convert to the opinion, that Poor-laws were necessary in Ireland? Only a few weeks ago; on the appearance of a pamphlet, written by a very clever Catholic Bishop, of whom he (Mr. Crampton) should certainly never speak with any thing but respect. The hon. and learned member for Kerry had further charged the Irish government with the encouragement of dissension in Ireland; although he well knew, that the cause of that agitation, which had since spread over the whole of Ireland, originated in a county election, in which the hon. and learned Gentleman was concerned.

Mr. *O'Ferrall* spoke to order. The hon. and learned Gentleman was departing from the question before the House.

Mr. *Crampton* had nothing further to say, but he must assert his right to defend his friends and himself from the imputations cast upon them by the hon. and learned member for Kerry.

Lord *Morpeth* acknowledged, that if, at any time, warmth and acrimony were justifiable in a discussion, it was when the subject was a starving population; but he still put it to hon. Members, whether they thought the question could be benefited by the introduction of mutual reproaches. As a proof, that the prayer of the petition which had been presented by the hon. member for Armagh was not singular, he held in his hands petitions (which the present discussion would probably compel him to hold in his hands for a long time) from three large manufacturing towns in Yorkshire, for the establishment of Poor-laws in Ireland. They complained of the evils which they endured from the influx of the Irish poor—evils to which, they were persuaded, there was no efficient remedy but a permanent measure for providing adequate relief for these unfortunate people in their own country, by a modified system of Poor-laws.

Mr. *Hume* must condemn the conversion of a general and important question into a personal dispute. The hon. and learned Gentleman opposite charged his

hon. and learned friend with having been the cause of the present state of things in Ireland. Why, it existed before the birth of the hon. and learned Gentleman's great grandfather. The sufferings of Ireland were acknowledged—they were proclaimed by all classes. His hon. and learned friend had justly said, that the present Administration, who, when they were out of office, promised to do so much for Ireland, since they had come into power had done nothing. The right hon. Chief Secretary talked of labouring nine hours in the day. He (Mr. Hume) would rather see one act than all his professions. The attack made on his hon. and learned friend was most unfair and unparliamentary. His hon. and learned friend complained, and he too complained, that Ministers did not do their duty towards Ireland. Were they not told the other night, by an hon. Member, that he lived in the midst of 50,000 Roman Catholics, and that an Orangeman, the Crown Solicitor, declared not one of this whole number was ever called to serve on a Jury by the verdict of which a Protestant was to be affected? The subject was one in which he felt deeply interested; and not he alone, but all the people of England. If that unfortunate country, Ireland, were relieved from her present condition, England would be placed in a state of comparative liberty; whereas, at present, Ireland hung like a log upon England, impeding all her movements. The hon. member for Armagh had done his duty; but his Majesty's Government had neglected theirs. It was acknowledged, on all hands, that the most violent party-spirit existed in Ireland; that Protestants, when charged with any offence, however criminal, were almost sure of impunity; while Catholics, when charged with any offence, however venial, were almost sure of severe punishment. Yet, in addition to these evils, his Majesty's Government had put arms into the hands of infuriated and bigotted men in Ireland; which they would, no doubt, use in putting their fellow-subjects to death. Could it be expected that Ireland would much longer bear this accumulation of injuries? Day after day, and night after night did Government hear similar statements as to the condition of Ireland, but it did nothing. Well might his hon. and learned friend say, it was a promising, not a performing Government,

Mr. *O'Ferrall* observed, that he had called the Solicitor General of Ireland to order, because he could not patiently sit and hear that hon. and learned Gentleman attribute the present miseries of Ireland to a contested election. The circumstances attending the election, to which allusion had been made, might have increased the party feelings which had previously existed, but did not cause those feelings.

Lord *Milton* regretted, that the hon. and learned member for Kerry had, by his remarks, introduced into the discussion of this most important subject a tone which it had not before assumed. The hon. member for Middlesex could not suppose, that he had made any great discovery when he attributed the evils of Ireland to misgovernment. But did he mean misgovernment of the present day, or of centuries? If the latter, he cordially agreed with him. But it was not consistent with justice to use ambiguous expressions, the real purport of which might be perverted. If the hon. member for Middlesex meant by misgovernment, the misgovernment—not of generations, but of the existing time—then he (Lord *Milton*) did not agree with him. The subject to which the petition referred was one of the greatest importance. No one who had observed the operation of the Poor-laws in England but must feel, that he would be guilty of great indiscretion who would introduce them into Ireland without great previous deliberation. It was a system, the effect of which in England had been such, that ever since he had been a Member of that House (no very short period) the state of the Poor-laws had been constantly under the consideration of Parliament. He perfectly agreed with the hon. and learned member for Kerry, that if the people of Ireland were starving, they must be fed; but that did not decide the question of the expediency of introducing Poor-laws among them. A great mistake appeared to exist with respect to the character of the poor of Ireland. Sure he was, that in Ireland there was, among the poor, a feeling of amity and kindness which might be searched for in vain among the poor of England, from one end of the island to the other. Let Parliament take care, that, by the introduction of any new system, they did not destroy that invaluable feeling.

Mr. *Hume* explained. He deprecated

all personal allusions, and his fixed opinion was, that the wretchedness and discontent of Ireland were to be attributed to ages of misrule, and called aloud for the serious attention of Government.

Mr. *Bodkin* expressed his surprise, that when the question before the House was a petition from the Roman Catholic prelates of Ireland, the hon. and learned Solicitor General for that country had flown from that subject, and attempted to prove, that the agitation of Ireland was caused by the measures of his hon. and learned friend, the member for Kerry—forgetting that the real causes were the mal-administration of Government. He had likewise defended the Irish Government, by declaring, that when they had time, they would do great things, but no one act of theirs gave any countenance to that assertion, or justified the hopes that any amelioration would be accomplished. For the truth of that assertion, he appealed to the feelings of every Irish Member. The only object they had attempted, and for which he felt called upon to express his indignation, was, to build new churches, so that the people of Ireland, the poorest in the world, were to be compelled to build churches for the richest religious establishment in the world. That certainly was not mere promise; it was an attempt at performance, but an attempt that was not likely, either to confer any advantages on the Irish people, or merit their approbation.

Mr. *North* thought, that no one could attend to the state of Ireland for any length of time without being aware of the extreme difficulty of applying any remedy to its manifold evils. It was well known, that he was no great friend to Ministers, as to the general course of their political conduct; he could not, however, but give them credit for much that they had already done for Ireland. They had called into activity the law of the land, by special commission, which had been attended with the best results. He must say, they had acted wisely and well, in putting down tumult, and preventing bloodshed. They had steadily enforced the law. While he gave them this credit, which was their due, in his humble judgment they would have acted more wisely for the interests of Ireland, and with regard to their own ultimate character as Ministers, if, instead of attempting a change in the Representation of that country, which would increase

its agitation, they had confined themselves to the particular question of the Irish poor, and attempted to introduce some system of well-digested Poor-laws, by which the sufferings of the population might have been alleviated, and a foundation laid for a permanent state of national prosperity.

Mr. *Ruthven* considered, that the story of the misfortunes of Ireland, had been bandied about backwards and forwards, but no beneficial results had accrued. The present question, however, was of vital importance to Ireland, and, if Ministers would not take the subject into their consideration, it was the duty of the Irish Members to bring it forward. The Irish people wanted something specific to be done, and no longer to be abused by delusive hopes. He was happy that the present discussion had taken place, for it was only on occasions like this, that the affairs of Ireland were ever attended to in the House.

An *Hon. Member* lamented, that the hon. member for Middlesex should apply such words as "infuriated and bigotted men," to the Yeomanry of Ireland; such language very much tended to increase the angry party spirit which prevailed in Ireland.

Mr. *Wyse* observed, that in every part of Ireland, the people were anxious, not to change the order of Government, but to alter the administration of it in such a way, that every interest in the land might be truly and properly represented. He should not enter into the discussion at present, but when the question of the Poor-laws came before the House, he would avail himself of the opportunity to state his opinions on the subject. It certainly was a matter of discretion with Government, whether they would go on with the present question or not; whether the distress which now existed in Ireland was to be prevented by law, or in any other way, was for their consideration; but prevented it must be, and the sooner it was decided what measures should be adopted for that purpose, the better.

Colonel *Perceval* rose, for the purpose of repelling the attack made on the administration of justice in Ireland, and would fearlessly assert, that it was administered with an impartiality worthy of imitation. The great cause of the disturbances in Ireland was, the election to which the hon. and learned Solicitor General for Ireland (Mr. Crampton) had al-

luded, and no safety would be found for Ireland, till the people were removed from under the control of those who had an interest in misleading them. He trusted, that Ministers would show a decision of character, in putting down the confusion that prevailed, which he must say they had not hitherto done. He had looked forward to the Registry of Arms Bill; but all the hopes he had formed had been blasted by the notice given by the right hon. Secretary for Ireland, of his intention to take away the only clause in that Bill which was good for any thing; he referred to the transportation clause.

Major *Macnamara* denied, that the Clare election, referred to by the last speaker, had been the cause of exciting ferment in Ireland. The fact was, that the people were dissatisfied and discontented, when they saw one law for the rich, and another for the poor. The latter had all the penalties of the law—all its benefits were reserved for the former. Individuals, he believed, had, in some instances, been thrown out of employment, because they would not suffer their children to be educated in a faith different from their own. They were persecuted, and plundered, and obtained no redress.

Mr. *Sheil* was of opinion, that the statements contained in the petition ought to be most seriously considered by the House. They were entitled to the utmost credence, because the petitioners, in the exercise of their apostolic functions, necessarily acquired a perfect familiarity with the situation and sufferings of the poor. His hon. and learned friend had alluded to the election for Clare, to which he had attributed the ill-feeling and acrimonious spirit, which had for some time prevailed in Ireland. To the election for Clare they owed the Catholic Relief Bill—to the election for Clare, he and other gentlemen were indebted for their seats in that House, and he, for one, was proud of an election which had led to such results. He was perfectly certain, that the existing irritation did not proceed from that source. The truth was, that discontent had been produced, because the interests of the people of Ireland had been long neglected in various ways, and because, in particular cases connected with the administration of justice in that country, partiality had been manifested. Could the learned Solicitor General for

Ireland deny, that at the late trial which took place at Kilkenny, every man on the Jury was a Protestant? He pledged himself that such was the case. This was no theory, no hypothesis, no vague speculation, but an undoubted fact; and he regretted much, that Government had not interfered to prevent it. He would ask Gentlemen of that persuasion, and particularly members of Yeomanry corps, how they would like to be tried by a Jury composed only of Roman Catholics? While the Catholics were so unjustly treated, was it to be expected that they should love and even honour their oppressors? He did not mean to make a sweeping assertion, that the administration of justice in Ireland was not pure: but, like Cæsar's wife, it should not only be pure, but unsuspected. That could not be the case as long as Juries were composed of Protestants alone, the Judges being all Protestants. There were forty popular Irish Members in that House, a phalanx who had sustained Ministers, who had kept them in their seats, to whom, therefore, the Government owed much obligation; and they had a right to demand of Ministers, that they would promptly and earnestly take the situation of the people of Ireland into consideration, for the purpose of devising some permanent and effectual mode of relieving them.

Lord *Duncannon* was bound to admit, without making any observation on the subject, that Catholics were excluded from the Jury at Kilkenny. He had received a letter from one of his constituents relative to this circumstance, and he had been called on to state it by the writer.

Mr. *O'Connell*, in answer to what had fallen from the learned Solicitor General for Ireland, denied that he had made an attack on the Irish Government, or on the Chief Secretary for Ireland, in his absence. He had simply remarked, that this Government was, as far as Ireland was concerned, a "promising" Government, and he said so still, for it had promised much, and performed little. Notwithstanding the right hon. Secretary's nine hours' labour, nothing had as yet been done. Then the learned Gentleman had very adroitly turned round on him, and, with a degree of special pleading worthy of a Court of Law, had accused him of inconsistency, because he seemed to censure Government for not introducing

Poor-laws into Ireland, he himself being rather opposed to them than otherwise. Now the fact was, that he adverted, not to Poor-laws, but to a variety of measures which had been promised to Ireland. The learned Gentleman had gone back three years, and attributed all the bad feeling which prevailed in Ireland to the Clare election. This was a most unfounded statement. Greater animosities had distinguished that country, since the present Administration came into power, than had been manifested there for a long time previously. This he had before stated, and he would state it again. What was the reason of it? Because the Whig Ministers had actually leagued themselves with those who had always been their enemies, while they acted coldly towards their liberal friends. Was it extraordinary, that animosities should be perpetuated, when Roman Catholics, belonging to Yeomanry corps, were disarmed, while the Orangemen were armed? Was that not the case with the Irwin's-town corps? Were not the Protestants armed, and the Catholics disarmed? If a fair system were acted upon in Ireland, why, he demanded, did not the Attorney General prosecute in the Newtonbarry trials, seeing that he was actually in Wexford at the time? Was it strange, under all the circumstances, that dissatisfaction should prevail throughout the country? The Government was now supported by men, who never were sincerely their friends, and the consequence was, that the country was trampled on. Wretchedness, want, and misery, pervaded every part of Ireland. Social order, he might say, was absolutely annihilated. Thirty years had elapsed since the Union, and the country was now in a state of the utmost misery—all the links of society were dissolved: they could not stand still—they were unwilling to go back, and it was frightful to look on the future.

Mr. *Crampton* said, that he had been coerced, not to attack any individual, but to repel the attack which had been made by the hon. and learned Gentleman, on the Government of Ireland. He had no wish whatever to come into conflict with the hon. and learned Gentleman; indeed, there was no man with whom he more wished to avoid a conflict, knowing how unequal he was to meet the hon. and learned Gentleman at his favourite sport of vituperative argument. He had merely

defended the Irish Government. The learned Gentleman had made a serious charge on that Government, when he asserted, that all the animosity which prevailed in Ireland was produced by persecution. Now he would assert, that the learned Gentleman was himself the cause of the irritation which was complained of, and thus the attack he had made on the Irish Government recoiled on himself. As to the notice which had been taken of the fact, that none but Protestants were on the Jury at Kilkenny, he could only say, that no man in the community deplored the existence of such a state of things more than he did himself. He was the last man who would resort to stratagem or artifice in conducting any legal proceedings; and he was convinced, that his learned friend, the Attorney General, was equally averse from pursuing any such line of conduct. In the Kilkenny case, it ought to be observed, that the prosecution was instituted by a Protestant clergyman, against two gentlemen, for attempting to prevent the collection of tithes. Now, the learned Gentleman must know very well, that in such a case as that, the prosecutor took, and had a right to take, the prerogative of the Crown, and to direct that such and such persons should stand by. The Government had nothing to do with that. But in the Castlepollard business, the Crown had used that prerogative, and set aside fifty-seven persons, who they feared would lean too much to the side of the prisoners. As to the fact of the Attorney General being at Wexford when the Newtonbarry business came on, and not prosecuting, that course was perfectly regular. It was not the practice for the Attorney General to prosecute. His duty was, to select some person of rank in the profession to conduct the prosecution; and in that case, Mr. Greene, a gentleman of high rank in the profession, was selected for the purpose.

Mr. *Hume* only wished to say, as he had been pointedly alluded to, that it did appear to him, that great partiality had been exercised. In the Castlepollard case, there was not a single Catholic on the Jury. What was the use of Government, or what was Government paid for, but to protect the oppressed? If those who had the management of these trials did not conduct them properly, then the blame ought, of necessity, to fall on the Govern-

ment by whom they were appointed. He thought, that Ministers ought to exculpate themselves if they could, for he contended, that they must be answerable for what was done by persons acting in their name. Responsibility ought to rest somewhere, and if Juries were really packed in this way, the Attorney General ought not to be allowed to remain in office.

Mr. *Stanley* agreed, that the Government must be responsible for what was done by persons who were employed by them. The Government were not disposed to avoid any such responsibility. For the acts of preceding Administrations, the present Government would not, of course, answer; but he would venture to say, that ever since the appointment of Lord Anglesey, the object which the Irish Government had had most at heart was, to render the administration of justice in Ireland not only pure, but to render it so notoriously pure, that not even the shadow of suspicion of partiality could by possibility attach to it. The hon. and learned Gentleman (Mr. O'Connell) came down there, night after night, and told the Government, that they ought to throw themselves on that party which would support their political views; but he would tell the hon. and learned Gentleman, that in the administration of justice, the Government would recognize no party whatsoever—would be influenced by no other considerations than those which might tend to establish the most rigid and even-handed impartiality. He repeated, that it had been the earnest endeavour of the Irish Government, to remove from the administration of justice in Ireland—as well in criminal as in civil cases—all suspicion of partiality; and he must protest against the course which the hon. and learned Gentleman (Mr. O'Connell) had thought proper to adopt, in coming down there, night after night, and, without notice, charging the Irish Government with having acted unfairly in this case, and in that case, and in the other case. If the hon. and learned Gentleman had any charge of partiality, which he thought he could substantiate against the Irish Government, in the administration of justice in any case, let the hon. and learned Gentleman bring such charge specifically before the House, upon notice, and he (Mr. Stanley) should be prepared to meet him. The hon. and learned Gentleman had said, that in that tithe case which

occurred in the county of Kilkenny, parties were set aside, and excluded from the Jury, either because they were Catholics, or because they were liberal Protestants.

Mr. O'Connell: And the noble Lord (Duncannon) has confirmed that statement.

Mr. Stanley continued. He could not tell whether there were or were not any Catholics, or liberal Protestants on the Jury, but, if the hon. and learned Gentleman meant to say, that it was by the sanction or direction of the Irish Government, that any persons had been excluded from the Jury, either because they happened to be Catholics, or because they happened to be liberal Protestants, the hon. and learned Gentleman said that, which he would contradict in the most flat and unqualified manner. He denied most distinctly, and with the strongest language, that any of those persons were set aside by Government on account of their political opinions. This was a serious charge, made on the strength of individual assertion. The charges of partiality were fortunately bandied about on both sides, and the fair inference, therefore, to be drawn was, that they were all equally without foundation. In the trial of the Castlepollard case, it was said, there was an unfair exercise of authority on the part of the Crown agents, the sole foundation of which was, that the relatives of the parties who had suffered were admitted to prosecute, in conjunction with the Crown agents, and in the exercise of that right, challenged Jurors to such an extent, as to call for the animadversion of the Judge who presided at the trial. Now this was no indication of a disposition to have partial Juries, but, on the contrary, proved, that the whole endeavours of the Government were exerted to support a fair and impartial administration of justice. He must further add, in relation to this unhappy affair, that when the persons charged were acquitted of murder, the relatives refused to proceed upon the minor charge, and called upon the Crown agents to abandon it, which the latter very properly refused. Again, in the Newtonbarry case, the Irish Government ordered a prosecution, but the hon. and learned Member said, that it ought to have been left to the friends of the parties slain, but, as their feelings were necessarily much excited, it was not wise to leave the prosecution entirely in their hands. The

circumstances of the case bore out this opinion, for the bills for murder were ignored by the Grand Jury, whether properly or improperly, it was not for him to say. The agents for the Crown, then sent up bills for manslaughter, which were returned as true only against one policeman. What, then, would have been the case, had the prosecution been entirely left in the hands of the friends of the parties? Why, immediately on the bills for murder being ignored, the minor charges would have been abandoned, and the legal proceedings would have been wholly stayed, because the parties could have no hope, that their feelings of revenge would be satisfied, by the extreme penalties of the law being enforced. What would have been said by hon. Members on the other side of the House, on this view of things, but that they had tampered with the administration of justice, and had suffered the accused to escape all punishment, because the prosecutions for murder had failed against them? He, therefore, asserted, they had adopted the most prudent and impartial course, by not having suffered themselves to be guided by the vindictive feelings of the relatives on one side, or the party feelings of the other. He very much regretted, that these opinions were so violent on both sides, but hon. Gentlemen might be assured, Government would not lend itself to any one particular party. It would endeavour to promote a fair and impartial administration of justice, and, he hoped, that its endeavours, notwithstanding the many difficulties it had to contend with, would be ultimately crowned by success.

Mr. Hunt observed, that the right hon. Gentleman had not said one word upon the only question that was really before the House. That question was the petition from the Irish Catholic Bishops, on the state of the poor of Ireland. The Government had been called one of promise, but not of performance, and he rejoiced that hon. Members had now found that out. He was astonished that on such a question the noble Lord opposite should tell them to pause before they decided, and should object to the early introduction of Poor-laws, because they would put an end to the charity of the people among one another. The Poor-laws were necessary, because the evils of Ireland arose from the great absentee nobility. There was Earl Fitzwilliam—[Lord Milton denied that

Earl Fitzwilliam could fairly be considered an Irish absentee proprietor]—there was the Duke of Devonshire—there was the Marquis of Lansdown—and there was the Earl of Egremont. Why were they not taxed for the support of the poor in Ireland? Nobody suggested anything else as a remedy for the evils of Ireland; then why not adopt the Poor-laws?

Mr. *Anthony Lefroy* entreated the House not to attend to the declamations of popular Gentlemen, as they called themselves, who had indulged in the most violent attacks upon the Yeomanry, the administration of justice, the proceedings of Government, and the conduct of hon. Members who did not agree with them in opinion. Their charges had been over and over again proved to have no foundation, and he therefore trusted the House would be more ready to listen to those who strictly performed their duty, than to those who brought causeless accusations. The Members who did their duty described the circumstances of Ireland accurately, and were inclined to support the views of his Majesty's Government.

Mr. *Sheil* declared, that the Kilkenny tithe case was not the case of a private prosecution—it was throughout considered a Crown prosecution, and it was conducted not only by the Crown Officers, but by Crown Counsel. The right hon. Gentleman had said very properly, that the Government intended to mix itself up with no party, but to administer equal justice to both. He was glad to hear the declaration. If that was to be the case let the Government take care that the rule thus laid down was strictly acted upon in the selection of Juries. He did not charge the right hon. Gentleman personally—he did not mean to make any charge against the Government—but he was bound to say, that if the Government did intend (as he most firmly believed they did) to act fairly, they should take care of the conduct of their agents, so that the administration of justice, which they intended to be pure, should not even appear to be defective. There was now a Jury Bill before the House, and the hon. and learned member for Kerry, and the hon. and learned Solicitor General for Ireland, were appointed Members of the Committee to prepare it. Let them take care that it was so framed as to guard against those evils that were now the subject of complaint.

Mr. *Spring Rice* regretted to hear the language used by his hon. and learned friend (Mr. *Sheil*), from which it might be inferred, that it had, of late years, been the custom of the Government to influence the selection of Juries. On the contrary, it had been most anxious to show the utmost impartiality in its proceedings, and regularly admitted all persons legally qualified, both Catholics and Protestants, and had generally found, that both had done their duty impartially.

Sir *Robert Peel* said, he did not rise to make any observation on this subject of a political nature, but he must do his best to prevent a recurrence of such discussions as the present, on the state of the administration of justice—discussions which he could not but consider as fraught with evil, both to the Government and to Ireland itself. It must be for the advantage of the country that Catholics and Protestants should be united, yet these daily debates in Parliament could have no other effect than to widen the breach unhappily existing between them. Under these circumstances, he submitted to the noble Lord opposite, whether it would not be better (he did not require it himself, for he was ready to declare, that he thought no case whatever had been made out) that a Committee of Inquiry should be appointed, than that there should be day, after day, this sort of discussion. If there was any ground for asserting that justice was not properly administered in Ireland, he should, if he were the noble Lord, challenge inquiry, and compel those who made the charge to the proof of their assertions. He was only giving the advice which he should certainly adopt were he a member of the Government, as he should deem it of the utmost importance to put an end to these cavilling objections to the administration of justice, which, however ill-founded, must tend, when thus repeated from day to day, to shake the confidence of every person in Ireland in the equal administration of the laws.

Lord *Althorp* observed, that it was impossible not to feel the evil of these discussions, and he wished that the weight properly due to the recommendation of the right hon. Gentleman should be attached to it in this instance. The right hon. Gentleman had, a short time since, observed upon the impropriety of discussions of this sort in the absence of full information on the subject. One of these

matters had, in fact, on a former occasion, been before the House, and inquiries had been despatched to Ireland, and this discussion was again introduced before there was a possibility of getting an answer to them. The case of Kilkenny was that to which he alluded; and though it was known that answers could not yet have been received, yet were these attacks made day by day, without giving the Government time to obtain those explanations, which, when procured, would, he trusted, be found quite satisfactory; but which, if they did not prove so, he should not wish to be conclusive; for there was no man in that House who would be more eager than himself to prevent the recurrence of any improper interference in the administration of justice. With respect to the present recommendation of the right hon. Gentleman, to grant a Committee of Inquiry, he must express his decided opinion, that not only a plausible, but a very strong case indeed, ought to be made out, before it was referred to a Committee of that House to revise a decision of a Court of Justice. If there was anything improper in the proceeding, he did not think a Committee of that House the proper tribunal to decide upon it; but he was of opinion that the remedy ought to proceed from the Government in its executive capacity.

Sir *Robert Peel* had not intended to recommend that a judicial decision should be submitted to a Committee of that House. The charge was, that the early forms of the proceedings had been corrupted by the interference of the Government Officers. He recommended a Committee to inquire into that subject.

Sir *John M. Doyle* said, that he found it necessary to state two facts to the House, which he thought ought to relieve his countrymen from the charge of being very unreasonable in not highly appreciating the present mode of administering justice in Ireland. The first was, that at the late Assizes for Carlow, where some individuals of the Yeomanry were arraigned on a serious charge, the Captain of the corps (who was also a Magistrate for the county) was actually one of the Grand Jury which ignored the bills. A second instance was, the case of an humble, but enthusiastic supporter of Reform, and of the present Ministry, a ballad-singer. This unfortunate woman had been incarcerated three months, and then released,

without any crime being proved against her. It was true, there might be some individuals, who considered such offences as supporting the Whig Ministers and Reform amounted to a crime, who thought the unhappy woman highly culpable, and deserving of punishment, particularly when the unfortunate bard furnished her hearers with some strains that were not very complimentary to their prejudices. That, however, was the whole amount of her offence, and for that she was imprisoned. He asked, therefore, was such conduct likely to give satisfaction, or command respect for the laws, and the local Magistracy, who administered them.

Mr. *Stanley* begged to be permitted to observe, in reference to the case of the unfortunate lady, for whom the hon. Member had expressed so much sympathy, that he had caused inquiries to be made on the subject, and found the character of the person was well known, and that she had, during the last five or six years, spent as much of her time in a prison as out of it.

Petition read.

Mr. *Brownlow*, in moving, that the petition should be printed, said, that he had not introduced the subject of the administration of justice in Ireland. The subject which he had brought before the House, in presenting this petition, was that to which the petition referred—namely, the introduction of some system of Poor-laws into Ireland. He must say, that he had been a good deal surprised to hear the noble Lord, the member for Northamptonshire, assert, that they should pause before they took such a step, because, taking it would be calculated to destroy those kindly and charitable feelings, which at present existed between the different classes of society in Ireland. The charity of which the noble Lord spoke, was not exercised in Ireland—at least, not by the upper classes in that country; and that fact was the strongest argument in proof of the necessity of introducing a system of Poor-laws into Ireland. The whole weight and support of the poor of Ireland fell on the middling classes there—that was to say, on the class which was immediately above those who depended on their charity for support and subsistence. Such a state of things constituted a great grievance, and a gross injustice; and of that grievance and injustice, this petition complained. It was clear, that the burthen of supporting the

poor of Ireland should be taken off that class, and should be thrown upon the shoulders of the wealthy landed proprietors in Ireland. They should place that weight on the property of Ireland, and not upon the industry of that country, which was scarcely able to support itself. They ought to make the property of Ireland responsible for the poverty of Ireland. That was the object, and that was the prayer, of the petition, which he (Mr. Brownlow) had presented, and to which he had given his humble support. Was it to be endured, when they heard, as they had done lately, that where 80,000*l.* was drawn from a starving portion of the population of Ireland, only 80*l.* had been subscribed by the hard-hearted absentees to relieve the distresses of the people? There could be but one feeling, that some measure was necessary to compel those persons to contribute to the relief of the distresses of those hard-worked labourers, from whose industry they obtained their own enormous wealth. It was high time that a remedy should be applied to the distressing state of things in Ireland.

Mr. *O'Connell* said, that he felt it his duty to press the matters to which he had adverted this evening, upon the attention of the House, day after day, in order to force the House and the Government to do justice to Ireland. He must say, that there was a species of self-complacency, a degree of self-satisfaction, and a manifestation of haughtiness, about the right hon. Secretary for Ireland, which totally unfitted him for directing the administration of the affairs of that country. The demeanour of the right hon. Gentleman on that evening, as well as upon other occasions, was anything but that which was calculated to conciliate the good opinion of the people of Ireland. With regard to the affair at Castlepollard, he begged to state, that there was not a single Catholic upon the Jury which tried the police concerned in that transaction; and still more, that though several lives had been lost on that occasion, not one single policeman of those who had been engaged in the affair, had been since that time removed from the constabulary.

Mr. *Stanley* begged leave to contradict the assertion of the hon. Gentleman, and to state, that every single policeman who had been engaged in that transaction, with the exception of four, had been since removed to another county, in order that

the excitement should not be kept up where the affair had occurred.

Mr. *O'Connell* said, that that was indeed a strange contradiction of his statement. No doubt these policemen had been removed to another county, but they had not, as he had already complained, been removed from the constabulary. They were still kept there to shoot more of the King's subjects. As regarded Ireland he would say, that the present Administration had professed much, had promised a great deal, and had, in fact, done nothing. The right hon. Secretary for Ireland seemed only to employ himself in taunting those who endeavoured to compel it to do justice to Ireland.

Mr. *John Weyland* vindicated the people of England from the charge which had been made against them in the course of this discussion, that their charitable feelings had been diminished and deteriorated by the existence of the Poor-laws. He contended, that there were as many absentee proprietors from England as from Ireland; yet, that while we had a happy and contented population here, the people of Ireland were ever ready to start into disorder, and to break out into insurrection. The cause of that difference was to be found in the non-existence of Poor-laws in Ireland. If the absentee-proprietors neglected their duty, a system of Poor-laws would draw from them a portion of their rents for the support of the poor, and such a system as that was wanted at present in Ireland.

Mr. *Sadler* said, that in applying a system of Poor-laws to Ireland, it would not be enough that they should make provision for the sick and indigent, but they must also keep in sight the principle of Elizabeth, to provide work for the unemployed. They were told by the Solicitor General for Ireland, and by the noble Lord, the member for Northamptonshire, that they should pause before they undertook so important a measure. Perhaps the noble Lord was the least qualified to judge of such a question as this, of any man in the kingdom. It was the good fortune of that noble Lord, more than of any other man, perhaps, to banish poverty wherever he went; he was, therefore, particularly disqualified from judging of the state of the general body of the poor in Ireland. When those hon. Members talked of pausing, he begged to say, that they had been pausing for the last 200

years, and the time was now come when it was indispensable that they should begin to act.

Petition to be printed.

PARLIAMENTARY REFORM — BILL FOR ENGLAND — COMMITTEE — TWENTIETH DAY.] Lord Althorp moved, that the Order of the Day for the House to resolve itself into a Committee of the whole House on the Reform of Parliament (England) Bill be read.

Mr. *Briscoe* wished to take that opportunity to ask the noble Lord, whether the statement which had appeared in the public Journals, that his Majesty's Government had sent out directions to the governor of Berbice, and to the other colonies under the control of the Crown, that an immediate liberation of the slaves should take place, was well founded?

Lord *Althorp* said, that though he had heard nothing before of the circumstance, he would venture at once to say, that there was not the slightest degree of truth in such a statement.

Sir *Francis Blake* complained that his constituency in Berwick-upon-Tweed would be considerably reduced by this Bill. He begged to give notice, therefore, that he should move, that three adjoining places should be added to Berwick, in order to make up for the diminution which would be thus effected in its constituency. That opulent and ancient borough should be compensated for the loss of the constituency of which this Bill would deprive it, not only by the addition of all its own 10*l.* householders, but also by adding to its constituency the 10*l.* householders of the three adjoining places, the annexation of which to it it was his intention to move hereafter.

The House resolved itself into a Committee.

Mr. *Frankland Lewis*, before the Committee proceeded with schedule F, begged leave to propose, as an amendment, "That the part of the parish of Presteigne which is situated in the county of Hereford, should not be included in the Bill." This change would be gratifying to the individuals affected by it, and would make the clause apply exclusively to Wales, which he considered desirable.

Lord *Althorp* had no particular objection to the amendment; but he could not see why that part of the parish which was in Herefordshire, should not be included.

Mr. *Frankland Lewis* replied, that there was no portion of the town across the border, but only a small suburb, containing a rural population, and by including the English inhabitants in the clause, an injustice would be done to them. They had no sympathy nor connexion with Wales; and were not willing to surrender their English privileges, by becoming voters in the Welsh boroughs. Until very recently, the administration of justice had been very different in the two countries, and the habits and manners of the people were not assimilated. The system of contributory boroughs was also exclusively confined to Wales, and it would be unwise to extend it to any portion of the inhabitants of Herefordshire.

Lord *Althorp* expressed his concurrence in the amendment, as the population of Presteigne, included in Hereford, was rural.

Mr. *C. W. Wynn* said, that in the counties of Pembroke and Denbigh a great part of the rural population would be subtracted from the county constituencies. Wrexham, for instance, had but a small town population, but a large rural population was contained within the limits of the parish; it would, therefore, be extremely desirable if some arrangement could be made to exclude the rural population from sharing in the borough elections. That would prevent the reduction of the county constituencies, which were by no means large at present.

Amendment agreed to.

The questions "that Amlwch, Holyhead, and Llangetri, sharing in elections with Beaumaris, should stand part of schedule F;"

And the questions "that Aberystwith, Lampeter, and Adpar, sharing with Cardigan, Lanelly sharing with Caermarthen, Pwllheli, Newin, Conway, Bangor, and Criccieth, sharing with Caernarvon, should stand part of schedule F," agreed to.

On the question "that Ruthen, Holt, and Wrexham, sharing with Denbigh, should stand part of schedule F,"

Mr. *C. W. Wynn* objected to including the whole parish of Wrexham, which contained above 11,000 inhabitants. A great proportion of the population of this parish was rural, and he should be sorry to see so large a number subtracted from the county constituency. He would therefore suggest that only the town population should be included, and the re-

mainder of the parish belong to the county constituency.

Mr. Alderman *Waithman* thought the whole parish of Wrexham ought to be included. It was true, that a great part of the population did not reside in the town, but they were employed in the coal and iron mines, and therefore could not be considered rural.

Sir *Watkins W. Wynn* stated, that the parish contained 11,087 inhabitants, whilst the town population did not exceed 4,795. He suggested as an amendment, that only the townships of Wrexham Regis and Wrexham Abbot, should be included, which would leave the rural population untouched.

Mr. *Cresset Pelham* said, by including the rural population in these boroughs, they would prevent the freeholders from exercising their elective franchise for the county, which might be a great hardship upon some individuals.

Mr. *C. W. Wynn* begged to be permitted to remark, in reference to what had fallen from the worthy Alderman, that although a considerable part of the population was employed, as he had stated, in the coal and iron mines, yet they would not yield a large portion of 10*l.* houses, and there was also, as he had before remarked, a considerable rural population independent of these.

Lord *Althorp* believed, that his right hon. friend had accurately stated, that the townships of Wrexham Regis and Wrexham Abbot included the population of the town, and he therefore had no objection to the amendment proposed.

Mr. *Goulburn*, after the noble Lord's consent to the amendment, wished to know what was intended in all similar cases in which places in Wales were to share in returning Representatives. When the name was mentioned, was it the whole borough, or only the town that was meant? If this was left ambiguous, to be settled hereafter by Commissioners, he confessed he had a great objection to it, as he was jealous that any unnecessary power should be left in the hands of the Commissioners; and he was particularly anxious that they should not be invested with power to do what Parliament itself might do satisfactorily. It was surely competent for the House to decide whether they meant to unite the whole population of the contributory boroughs, or only that part included in the towns.

Lord *Althorp* said, it certainly was intended to add the population of the towns only, and not a rural population; but difficulties frequently occurred, as the right hon. Gentleman must be aware, in determining the limits of towns.

The clause, as amended, agreed to.

On the question "that Rhyddlan, Overton, Carvis, Caergonly, St. Asaph, Holywell, and Mold, sharing with Flint, should stand part of schedule F.

Sir *Edward Lloyd* begged to state, that the parish of Mold had a population of nearly 7,000, a large proportion of which was rural.

Mr. *Goulburn* inquired whether it was the parish, the hundred, or the town of Mold, the first of which contained 6,000 the second 10,000, and the third but 1,000 inhabitants, that was proposed to be included?

Lord *Althorp* said, it was the town; and proposed that the words "town of" should stand before Mold.

Mr. *John Stanley* suggested, that in every instance the word "town" should be inserted; and it might afterwards remain for the Commissioners to say what was or was not within the limits of the town.

Sir *Edward Sugden* protested against its being assumed that Commissioners were already appointed. He considered that proposition the most objectionable part of the Bill, and should give it his decided opposition.

Lord *Althorp* said, his hon. friend (Mr. Stanley) did not assume that the clause appointing Parliamentary Commissioners was agreed to. He merely suggested that the word "town" should be used, as it would be sufficient to show that the rural population was not meant to be included. He begged to move, that the words "parish of" be inserted before Holywell, which would put an end to all doubt to that case.

The clause, as amended, agreed to.

The next question was, "that Llandaff, Cowbridge, Merthyr Tydvil, Aberdare, Llantrissant, sharing with Cardiff, Glamorgan, stand part of schedule F."

Colonel *Wood* said, it then became his duty to bring under the consideration of the Committee the case of Merthyr Tydvil. This large and flourishing town was situated in Glamorganshire, and it was separated by a mountain brook from a small hamlet called Coed-Cumnor. The hamlet had a population of 2,000 souls, and he

hoped the Committee would consent to step over the brook, and uniting the hamlet and the town together, remove the latter from schedule F, and give to them, exclusive of all participation, the right of returning a Member to Parliament. As he had already stated, Merthyr Tydvil was in the county of Glamorgan, and therefore it might have been expected, if that place had a just or reasonable claim to be allowed the privilege of returning a Member to that House, its pretensions would have been urged by the hon. Member for the county in which it was situated, who had, however, declined to undertake that office. He, therefore, had undertaken to bring the case forward, but not until that hon. Member had declined, and he made the Committee acquainted with this circumstance, lest he should be charged with unnecessary interference, and with intruding into the office of another. He must also state, lest it should be at once concluded that Merthyr Tydvil had no just claims to the distinction it applied for, that, as he understood the matter, the hon. member for Glamorganshire had not objected to bring the case forward, on the ground that a member for Merthyr was unnecessary, but on the ground that an understanding had been come to by the supporters of the Bill, that they would not propose any amendment in it whatever. This certainly showed good generalship on the part of the noble Lord, and the noble Lord's forces were well drilled; but he could hardly suppose, that every amendment was to be rejected merely because it was an amendment, and without reference to its justice and its merits. If he was correct in this supposition, he could assure independent Members, that Merthyr Tydvil would be found to present a case on which they might shew their independence, for it was well worthy of their support. Merthyr Tydvil was entitled to a Representative upon the principles of the Bill, and by acceding to the alteration he should propose in the schedule, hon. Members would neither infringe upon those principles, nor throw any impediment in the way of the progress of the Bill. He would not make any comparison between Merthyr and other places; to do so might be considered invidious and unfair; but he would let the case stand on its own merits, and leave the Committee to deal with it. By the census of 1821—not 1831—there were in Merthyr Tydvil and

the adjacent hamlet of Coed-Cumnor 19,025 souls. That was the amount of population in 1821 in this great commercial place; and he begged of the Committee to remember in how many instances it had already granted to new places a Member where the population was considerably less. In no less than twelve of the new places to which the right of returning a Member had been given, was the population less in amount than that of Merthyr. Macclesfield had a population only of 17,746, Warrington a population of 16,698; South Shields a population of 16,303; Kidderminster a population of 15,396; Rochdale a population of 13,902; Cheltenham a population of 13,500; Huddersfield a population of 12,434; Frome, Walsall, and Gateshead, had each a population under 12,000, and Kendal had a population of 8,984. Nor was that all; for, on looking at the counties in which those places were situated, he found, that they were much more numerously represented, in proportion to their population, than Glamorganshire was. He therefore hoped he should hear nothing about an undue number of Representatives being asked for on account of Glamorganshire. Then with respect to 10^l. houses. There were at present in Merthyr alone, 680 10^l. houses. Perhaps he should be told, that under the Bill, as it at present stood, the county of Glamorgan would receive two additional Members, one for the county and one for Swansea. But the Committee must see, that from the annexation of Merthyr Tydvil to Cardiff, the former town would have no share in the county Representation. Therefore, with respect to the county Representation, no argument could be raised against Merthyr. He then came to Swansea. Would Merthyr be represented through Swansea? He had no hesitation in saying, that it would not. The two places were completely separated and distinct in every respect. Merthyr Tydvil was situated at the head of a valley, and between it and Swansea there was a high range of mountains. Over those mountains there was a mountain road—not a very good one—but as to any commercial communication or connexion between the two places, there was no such thing. The Member given to Swansea, therefore, must be considered as a purely local one, as far as the particular interests of Merthyr were concerned. He had thus disposed of three of the Members to be

returned by the whole of the county, and he then came to the fourth, Cardiff, which, with certain contributory boroughs, was to return a Member. The other night a Member had been given to Devonport, and the reason assigned for not uniting that town to Plymouth was, that the population of Devonport would swamp the population of Plymouth, and thereby place that ancient and respectable town under the influence of Devonport. That was the argument used the other night by the Government, and he entreated that it might now be borne in mind. In Plymouth and Devonport there was a community of interests, but in Cardiff and Merthyr there was no such thing; on the contrary, there was a clashing of interests. There was no bond of union whatever between the two places, and they were twenty-five miles distant from each other. Then as far as the four Members already proposed to be given to Glamorganshire went, he thought they furnished no argument against the claims of Merthyr Tydvil. Merthyr was differently circumstanced from every other place in Wales, and was not fitted for a contributory borough. It was, strictly speaking, a commercial town, and had a manufacturing population; while the other towns, the contributory towns, had for the most part a rural population. ² Indeed, so peculiarly circumstanced was Merthyr, that it would be better for it not to have anything to do with returning a Member, unless it was allowed to return one exclusively. Cardiff and the other places named in the Bill would act as so many ties upon Merthyr, without being able to subdue its strength. They would irritate it without destroying its influence. If united with those places it would have a decided preponderance, and the consequence would be, annoyance and discontent to all the parties concerned. Then had Merthyr Tydvil experienced any inconveniences from not having a direct Representative? It certainly had; and he would state an occurrence in support of that assertion. One instance was as good as a hundred. About two or three years ago, some parties in Cardiff came to Parliament for a Bill for a new canal from Merthyr to Cardiff. The new canal was to run mostly parallel with the old one, but it was to have several advantages, as a better seaport, and some other things; but in these advantages the parties from Cardiff

refused to allow the old canal in any way to participate. The hon. member for Cardiff very naturally and very properly advocated the interests of his constituents. The hon. member for the county was in the Chair of the Committee to which the motion was referred, and that hon. Member was therefore neutral, and consequently, the interests of Merthyr were left without any necessarily active protector. The Committee was a large one, and on a division there were twenty-two in favour of Cardiff, and four only in favour of Merthyr. The four, however, laboured for a fortnight, and at length succeeded in effecting a compromise by which all parties were satisfied. If, however, those four Members had happened to have been at the time occupied with business relating to their own counties, they would not have been able to have attended to the just interests of Merthyr, which, consequently, would have been sacrificed. That case was a strong proof, that Merthyr did require a Representative for the protection of its interests. He had brought the claims of Merthyr Tydvil forward, not with a view of injuring the Bill, but with a desire to render it as perfect as possible. There was only one other point to which he wished to allude. He hoped he should not be told, that if the Committee gave a Member to Merthyr Tydvil, by doing so it would derange the just proportion of Members established between the agricultural and the manufacturing interests. He was quite sure those great interests were, in truth, identified, and if he wanted to offer the strongest proof possible that that was the case, he should refer to the fact, that if Merthyr languished, the agricultural interests for forty miles round it was in the same condition; while, if Merthyr flourished, and had full employment, the agricultural interest for the same distance exhibited prosperity and joy. Let not, then, any invidious comparison be raised, but let both the great interests concerned shake hands, and, by giving a Member to Merthyr Tydvil, offer a practical proof of their cordiality towards each other, and of their desire to see each other prosperous. The plan he proposed to pursue was this:—He meant to move, in the first instance, that Merthyr Tydvil should be left out of schedule F; and, if that amendment were adopted, as he hoped it would be, he should at the proper time move as an amendment upon the

seventh clause, that words be added to it giving Merthyr Tydvil and the hamlet of Coed Cunnor the right of sending one Member to Parliament. The hon. Member moved as an amendment that the words "Merthyr Tydvil" be omitted.

Lord *Patrick James Stuart* said, that as the Representative of Cardiff he felt it his duty to trouble the Committee with a few observations. The population of Cardiff, in 1821, was between 3,000 and 4,000, and it now amounted to nearly 6,000. This was a clear proof, that it was a prosperous and important place. With Cowbridge, Llandaff and Llantrissant, the proposed tributary places, there would be a population of 10,000 souls. In the town of Cardiff alone there were 360 10l. houses. There would surely, then, be an ample constituency without Merthyr Tydvil being added. With so large a population, and a thriving port, exporting iron and coal, and now likely to increase very considerably from the coal duties being abolished, which also created a monopoly in favour of a neighbouring town, he regretted to see Cardiff was to be swamped by Merthyr Tydvil, and regretted that the latter should not receive a Member of its own. A considerable addition had been made to the number of Representatives returned by the county of Stafford, and he did not see upon what ground this addition was made, that would not equally apply to the Cardiff district. His noble friend had altered the whole arrangement of the boroughs, but in doing so he had crushed the town of Cardiff, by putting on it the town of Merthyr Tydvil, with a population of 25,000 souls. Due consideration had not been given to Wales. He approved of measures which took from Wales the character of a distinct country, and he therefore saw with great pleasure the measure carried, which put an end to the separate jurisdiction of the Welsh Judges, but it was not just to deal with it in one manner at one moment, and in another manner at another. He supported the amendment.

Lord *Althorp* said, there appeared to him to be two points in the discussion, first, as regarded Merthyr Tydvil, and second, as regarded Cardiff; he would begin with the latter. Cardiff was already connected with several other boroughs, such as Swansea, Teath, &c, which had a considerable population, and would not, therefore, be swamped by Merthyr Tydvil.

Cardiff, he conceived, would not be injured by having its constituency enlarged. With regard to the latter part of the question, he agreed with his hon. friend opposite, that Merthyr Tydvil was an important town, and that it ought not to be left wholly to virtual Representation. It was for that reason that he (Lord Althorp) was desirous of annexing it to Cardiff, with which its interests were closely connected, and with which it had a direct commercial communication. But as it was said, that that Representation was not sufficient, he would reply, that on the showing of the hon. Gentleman opposite himself, the interests of the agricultural districts forty miles around were interwoven with those of Merthyr Tydvil, and that, therefore, the members for Glamorganshire and Monmouthshire would be neglecting the interests of their own constituents if they neglected those of that town. It had been urged by his hon. friend, that the interests of all being the same, an attempt to make the Bill a balance of interests ought to be avoided. He concurred with him in thinking that these interests were identified, that they depended upon each other; but he feared the respective persons engaged, either in manufactures or agriculture, were not of the same opinion, and therefore, it was necessary to keep up a balance in the Representation. He therefore was of opinion, on the whole, that by giving, as they proposed to do, two additional Members to Glamorganshire, they had given it a sufficient Representation as compared with the rest of Wales; and as he believed the interests of Merthyr Tydvil were identified with the county, he could not consent to increase the number of Members by adding one for it, as proposed by the hon. Member.

Colonel *Wood* said, that in this district the manufacturing and agricultural interest, were so well balanced and united, that he should like to see the experiment made of giving Members to a place in which the interests of both classes were identified. With respect to the influence which Merthyr Tydvil was likely to have in the election of county Members, if the motion of the hon. Member succeeded, and he hoped it would, that the freeholders of every borough should have the right of voting in that borough, Merthyr Tydvil would have no voice whatever in county elections.

Mr. *Jephson* said, that although desir-

ous of supporting the general principles of the Bill, he felt bound to vote for the Motion of the hon. Gentleman opposite.

Mr. *Talbot* was also of the same opinion, for he considered the case made out for Merthyr Tydvil so strong, that he should certainly vote in its favour.

Sir *Henry Hardinge* said, that if the noble Lord, the framer of the Bill, had any regard to his own principle of population, he would not refuse a Member to a place containing nearly 17,000 inhabitants, at the same time that he left two Representatives to other places, on the ground that they had 4,000 inhabitants. The place had petitioned against the proposed course, as partial and unjust, and he thought it had made out a case which entitled it to a Representative. He could not but feel, that nothing was more unfair than to annex to Cardiff Merthyr Tydvil, a town which lay at the distance of twenty-five miles from it, and which would completely sluice it, while Gateshead, though so near Newcastle, was not annexed to that place. He hoped the Government would pay some attention to the petitions which had been presented upon this subject, especially when it was recollected, that the population of Merthyr Tydvil amounted, in 1821, to 17,000, and was now no less than 28,000, while Gateshead had, in 1821, a population of 11,667, and at the last census 14,931 only. Considering all these circumstances, and that Cardiff had also made out a strong case, the prayers of both places ought to be attended to.

Mr. *Croker* was particularly at a loss to understand the course pursued by the Ministers, and he requested the hon. Gentleman who had refused to add the manufacturing town of Wednesbury, with 6,000 inhabitants to Walsall, to assign some reason for joining Merthyr Tydvil to Cardiff, which were twenty-five miles apart.

Mr. *W. A. Williams* said, that he should be most unwilling to delay the progress of the Bill, but as a representation for the county of Monmouth in which a large portion of the mining district of South Wales, was situated, he felt it a duty to support the Motion. He considered the mining districts of South Wales not fairly Represented, as compared with the same interests in Staffordshire. He fully agreed in the propriety of the amendment to give to Merthyr Tydvil a separate Representative, to which, from its population, and

manufacturing importance, it was fully entitled. It contained 700 10L. houses. It would have been better to have left the Glamorganshire boroughs, alone, and supported the mining interests by a separate Member for Merthyr and Aberdare.

Mr. *John Stanley* said, he did not think that Glamorganshire, taking its population into consideration, had any reason whatever to complain of not receiving its proper share in the distribution of Members. In obtaining four, it had one in proportion to every 25,000 inhabitants, while Carmarthen had only one to 45,000; Denbigh one to 38,000; Montgomery, one to 30,000; Carnarvon, one to 29,000; Cardigan, one to 28,000; Flint, one to 27,000; and Merioneth, one to 34,000. In short, there were only four counties in Wales which had more Members in proportion to their population. Again, in the great manufacturing northern English counties, Lancashire had one to 47,000; Derbyshire, one to 35,000; Cheshire, one to 33,000; and Yorkshire, one to 38,000; and even the favoured county of Stafford had one only to 22,000. In regard, then, to the population of Glamorganshire, it had an ample share of Representation, and had Merthyr Tydvil been situated in any other part of the empire, he should have been most ready to concede its claims. But Government having in no case departed from the ancient practice of Wales, as established by Henry 8th, he saw no reason to deviate from it in this instance alone. There were several towns in Scotland, as large, or larger, than Tydvil, which continued to form a portion of the district of boroughs in which they were originally placed, and he had heard no complaint from them. If they did complain, it would be prudent to listen, for if this was granted, no objection could be reasonably made to their demands. As far as regarded the distance at which the contributory places were from each other, the argument was in favour of the proposed arrangement, for Merthyr Tydvil and Cardiff were more closely connected, and nearer to each other by five miles, than were Cardiff and Swansea, which had been hitherto joined. He believed they were about twenty-five miles apart, and that was rather less than the average distance, at which the contributory boroughs were placed from each other in Wales. In considering this case as a hardship upon Cardiff, which would, it

was said, be swamped by the superior population of Merthyr, he must reply, that the borough with which it was heretofore associated, had a larger proportion of voters, under the proposed regulations, than Merthyr would have for Cardiff; the other places had 18,765 inhabitants, and Merthyr Tydvil but 17,704: so that the town of Cardiff would lose nothing in this respect by the change, while, geographically speaking, it was much more intimately connected with Merthyr, by excellent roads, canals, and continual intercourse, than with the other towns. Swansea was at a greater distance, and separated from it, both by the nature of the country, and by division of interests. If, however, the hon. Members connected with Glamorganshire preferred the present arrangement, and wished to have Cardiff, Swansea, and the other places to continue united, and give Merthyr a separate Member, he apprehended the House would have no objection to the arrangement; but he would maintain there were no just grounds for giving a fifth Member to Glamorganshire, which was the object those Gentlemen had in view. As he understood that the proposed distribution would be more agreeable to the wishes and interests of the country at large, than an arrangement which would give one Member to Merthyr, and leave Cardiff joined to Swansea, this was an additional reason in favour of the measure. For his part, therefore, he should support the arrangement made by the Bill.

Sir *George Murray* dissented from the observation of the noble Lord opposite (the Chancellor of the Exchequer), that Glamorganshire was well off for Representatives as compared with the other counties of the principality. He confessed he saw no reason why one rule, or principle, of Representation, should be applied to Wales, and another to England, or why the Representation of Ireland or Scotland should be placed upon a different footing from that of the other parts of the United Kingdom. He conceived, that when they were altering the Constitution, every part of the United Kingdom had a just claim to a full and equal share in the Representation.

Mr. Alderman *Wood* would vote for Merthyr Tydvil being left out of the present schedule, for the purpose, at another stage of the Bill, of proposing that independent Representation be conferred upon

it. A great manufacturing place so populous should not be left without a Representative of its own.

Mr. *Stephenson* said, he was called upon in consequence of hon. Gentlemen illustrating their opposition to the details of the Bill by references to the county of Durham; but he wished to enlarge their view by comparing Glamorganshire with it, and he therefore proposed to prove, these two counties would receive nearly an equal share of Representation from the proposed measure. The population of Durham, in 1821, exceeded 200,000: so that each present Member represented about 50,000 constituents; such also was the case with Glamorganshire, with its two Members, and 100,000 inhabitants. By the proposed Reform, six Members would be added to Durham, and two to Glamorgan, thereby giving to the former, one to every 20,000, and to the latter one for about 25,000 constituents.

Sir *George Murray* said, he was the only Member who possessed 140,000 constituents.

Lord *Milton* observed, the hon. Baronet had not said by how many of the 140,000 he was elected. The voters for all that mass of population did not exceed, he believed, 100.

Mr. *Croker* said, the hon. member for Durham had answered the arguments of the hon. gentleman who preceded him, by proving that Glamorganshire was to have one member to 25,000 inhabitants, while Durham was to have one for every 20,000; and this he called enlarging their views, and proving, that equal benefits had been dealt to each, while it was clear, from his own statement, that Durham was to receive greater advantages than Glamorganshire.

Mr. *Stanley*, in reply to the hon. gentleman, must state, that in the south of England, taking the line drawn by the right hon. member for Tamworth, the proportion of Members was as one to 20,000 inhabitants, while in the north the proportion was one to 25,000.

Colonel *Wood* said, the proportion of Members to inhabitants in Wales, was one to 30,000, and this argument of the right hon. gentleman was in favour of his motion.

Mr. *Cresset Pelham* said, the arrangements by which the members for Scotland were returned, were made by Lord Somers. He apprehended that great man was

somewhat better qualified to draw up the scheme of a constitution than those who were now about to alter his work.

Sir *George Murray* wished to call the attention of the noble member for Northamptonshire (Lord Milton) to the fact that the Bill went to alter the constituency, and not to increase the number of Members.

Mr. *Stanley* said, the right hon. Baronet had surely forgotten, that those who voted for General Gascoyne's motion, refused to increase the number of members for Scotland.

Sir *George Murray*:—General Gascoyne's motion was to the effect, that the English Members should not be diminished. The addition of five new Members which the Bill gave was not equal to what Scotland deserved.

Mr. *James L. Knight* said, that as far as he knew the sentiments of the people of Glamorgan, they would be glad to receive the boon intended for them without the change which had been made. The people of Glamorgan had never felt the inconvenience of the present system. They said, "Why not leave us as we are?" They had rather Cardiff and Swansea should remain together than that they should be associated in a new manner and with new interests. If Merthyr Tydvil was left without a representative, it would be a disgrace to the Bill, but it should be a separate borough, united to Aberdare.

Lord *Althorp* said, that as to joining Merthyr Tydvil and Aberdare, he owned there was some reason in the proposal, and he should be prepared to consider it in a future stage, and if there was no objection, to adopt it; but he could not agree to it at present, without consideration.

Mr. *Croker* hoped, that as the noble Lord had reserved to himself the power of amending the Bill in this point, he would not be angry if they should vote in favour of the question, which the noble Lord might now negative, but which he would ultimately support.

The Committee divided on the original question; Ayes, 164; Noes, 123—Majority 41.

List of the AYES.

Adam, Admiral C.	Bentinck, Lord G.
Adeane, H. J.	Berkeley, Captain
Althorp, Viscount	Blackney, W.
Baillie, J. E.	Blake, Sir F.
Baring, Sir T.	Blamire, W.
Benett, J.	Blunt, Sir C.

Bodkin, J. J.	King, E. B.
Bouverie, Hon. D. P.	Knight, H. G.
Bouverie, Hon. P. P.	Knox, Hon. Col.
Boyle, Hon. J.	Langston, J. H.
Brayen, T.	Lamb, Hon. G.
Brougham, W.	Lambert, H.
Brown, J. D.	Leader, N. P.
Browne, D.	Lefevre, C. S.
Brownlow, C.	Lennard, T. B.
Bulwer, E. L.	Lennox, Lord J. G.
Burke, Sir J.	Littleton, E. J.
Burrell, Sir C.	Lloyd, Sir E. P.
Burton, H.	Loch, J.
Byng, G. S.	Maberly, Col.
Callaghan, D.	Macnamara, W.
Carter, J. B.	Mackenzie, Sir P.
Cavendish, C. C.	Mangles, J.
Cavendish, Lord G.	Marjoribanks, S.
Chapman, M. L.	Martin, J.
Cockerell, Sir C.	Mayhew, W.
Crampton, P. C.	Maule, Hon. W. R.
Clive, E. B.	Milbank, M.
Cradock, Col.	Mildmay, P. St. J.
Curteis, H. B.	Milton, Viscount
Dawson, A.	Moreton, Hon. H.
Denman, Sir T.	Morpeth, Viscount
Duncombe, T. S.	Morrison, J.
Dundas, C.	Mostyn, E. M. L.
Dundas, Hon. Sir R. L.	Musgrave, Sir R.
Dundas, Hon. J. C.	Noel, Sir G.
East, J. Buller	Norton, C. F.
Ebrington, Viscount	O'Connell, D.
Ellice, E.	O'Grady, Hon. S.
Ellis, W.	Ord, W.
Evans, W. B.	Osborne, Lord F. G.
Evans, W.	Offley, F. C.
Ewart, W.	Oxmantown, Lord
Fergusson, Sir R.	Paget, T.
Fitzroy, Lord J.	Palmer, Gen.
Gisborne, T.	Palmer, C. F.
Gordon, R.	Palmerston, Viscount
Grant, Right Hon. R.	Payne, Sir P.
Grant, Right Hon. C.	Pendarves, E. W.
Gurney, R. H.	Penlease, J. S.
Handley, W. F.	Pepys, C. C.
Harcourt, G. V.	Petit, L. H.
Harvey, D. W.	Philips, G. R.
Hawkins, J. H.	Philipps, Sir R.
Heathcote, Sir G.	Phillips, C. M.
Heathcote, G. J.	Portman, E. B.
Heron, Sir R.	Power, R.
Heywood, B.	Poyntz, W. S.
Hill, Lord G. A.	Price, Sir R.
Hobhouse, J. C.	Ramsbottom, J.
Hodges, T. L.	Rice, Rt. Hon. T. S.
Hodgson, J.	Rickford, W.
Horne, Sir W.	Rider, T.
Hort, Sir W.	Robinson, Sir G.
Host, Sir J.	Rooper, J. B.
Hoskins, K.	Ross, H.
Howard, J.	Rumbold, C. C.
Howard, P. H.	Russell, W.
Hughes, J.	Russell, C.
James, W.	Russell, J.
Jerningham, Hn. H. V.	Stanhope, Hon. Capt.
Johnston, A.	Stanhope, Capt.
Johnston, J. J. H.	Stanley, E. J.

Stanley, Rt. Hon. E.	Waithman, Ald.
Staunton, Sir G.	Walker, C. A.
Stephenson, H. F.	Warburton, H.
Stewart, P. M.	Watson, Hon. R.
Stewart, E.	Westenra, Hon. H.
Strutt, E.	Weyland, Major
Stuart, Lord D. C.	Wilbraham, G.
Tennyson, C.	Williams, Sir J. H.
Tomes, J.	Williamson, Sir H.
Villiers, T. H.	Wood, J.
Vincent, Sir F.	Wrightson, W. B.
Venables, Ald.	Wrottesley, Sir J.
Vernon, Hon. G. J.	Wyse, T.
Vernon, G. H.	

The question that "Llanidloes, Welsh Pool, Machynleth, Llanfyching, and Newtown, sharing with Montgomery, stand part of schedule F," agreed to.

On the question that "Narbeth, St. David's, Fishguard sharing with Haverfordwest, stand part of schedule F."

Mr. *Goulburn* begged to inquire why the present changes contained in the motion were to take place. In the first edition of the Bill, Carmarthen and St. David's were united; in the second edition there was another alteration, but now they had Milford Haven added to Pembroke. It had been supposed that the changes had some connexion with local influence, and election transactions in that quarter. If these boroughs possessed a large population, that was as well known at first as now. He was unwilling to believe partial motives had been the cause of the alterations, but there were circumstances which had given rise to such an opinion. The noble Lord was undoubtedly aware that gentlemen who were the rival candidates at the late election, possessed large property in the towns of Pembroke and Milford. It must also be observed that the effect of throwing Milford with a population of 2,500 into the district of Pembroke, would be to bring the same interests into collision, and that until the late contest, the present intended junction was not thought of. He merely stated the observations that he had heard made, and he hoped the noble Lord would be enabled to give a satisfactory explanation.

Lord *Althorp* said, the grounds for making the proposed changes were, local situation, and to equalize the constituencies. The extent of population in the various places was of course known when the draft of the first Bill was prepared. The objection of the right hon. Member was, that these alterations had been

supposed to be made from causes flowing from the late elections. To that assertion he opposed a plain denial. It probably would have been better, had they more fully considered these local peculiarities, before the first Bill had been introduced, but he declared they had not acted from any partial motives whatever.

Motion agreed to.

On the question that "Tenby, Wiston, and Milford Haven, sharing with Pembroke, stand part of schedule F,"

Sir *John Owen* said, that Pembroke, Tenby and Wiston, were previously united, and as the number of 10*l*. houses in Tenby and Pembroke, alone exceeded 500, there was no occasion to go elsewhere for a constituency. He knew that an opinion had prevailed in Pembroke, that the exchange had been produced by events at the recent election.

Lord *Althorp* said, the number of 10*l*. houses in Tenby and Pembroke, was itself a sufficient reply to the insinuation, that the charge had been made on the grounds asserted, as any influence that could be brought from Milford could not possibly out-vote these. Besides, as all the present burgesses were to retain their votes, Milford could have very little influence.

Mr. *Croker* said, that Milford Haven was merely the harbour of Milford; he therefore begged to suggest, whether the town of Milford should not rather be inserted than Milford Haven, for, as the clause at present stood, a place where no house could by possibility exist, had the rights of a borough, while the real town was excluded.

The amendment, that the word "Haven" be omitted, and that the words "town of," stand before Milford in the clause, agreed to.

Sir *Edward Sugden* said, that it appeared the noble Lord fully understood, that Milford was the property of one individual, and it now appeared the clause had been altered since the person in question tried his strength at a contested election: it had, therefore, an awkward appearance, that the present clause was not in the first and second editions of the Bill. Without meaning to cast any imputations, this was rather an unlucky illustration of the assertions of impartiality, made by the noble Lord, who he regretted to observe, paid no attention to his remarks, but appeared otherwise employed. He might not be listened to by Gentlemen

who were dragged down to vote according to the will of Ministers, to clamour down those who opposed them, and who attended in their places to perform their duty to their country and their constituents; but that was not the way in which a great question like this should be discussed. The noble Lord, however, seemed to feel the appeal that had been made in regard to the supremacy of a particular interest at Milford, but asserted in reply, it would be of no importance, because the rights of the burgesses in the other towns would continue; but every one knew this right was a mere delusion, and, from the provisions with which it was clogged, was rather nominal than real.

Lord *Althorp* regretted the hon. and learned Gentleman had been interrupted, and that he thought he had reason to complain of not being attended to, but it was impossible to continue listening to objections and arguments which had been repeatedly replied to. He agreed with the hon. and learned Gentleman, when he said the present change had been made at an unlucky time, but he had already explained the circumstances that caused it. He had no objection to repeat them; they were, that Ministers wished to give a more equal number of constituents to the two districts.

Mr. Alderman *Waithman* did not know whom the hon. and learned Gentleman meant to hit by his remarks as to Members being dragged down to vote. The only persons whom he knew to be dragged down to that House, were the borough nominees, who were bound hand and foot to the patrons who gave them their seats. It was evident, the members for rotten boroughs generally voted in regiments.

Mr. *Hobhouse* said, that the hon. and learned Gentleman opposite had so often indulged in similar insinuations to those which he had uttered that evening, that neither the country nor the House cared any thing for them. The objections which the hon. and learned Member made to the Bill, though they became him well enough, were disregarded by every man of common sense in the country. He would therefore recommend hon. Gentlemen with whom he was connected, not to notice such remarks.

Sir *Edward Sugden* insisted that it was most disgraceful, when hon. Members rose to perform their duty, that they should be met by clamour and unpleasant noises.

Such conduct ought not to be tolerated. The hon. member for Westbury had cheered so unpleasantly whilst the noble Lord was speaking, that he could not refrain from noticing it. If such practices were sanctioned, some allowance ought also to be made for the warmth of expression which they elicited on his side of the House.

Mr. *Hanmer* was the person the hon. Member alluded to, and he had certainly cheered the noble Lord, probably in a marked manner. His reason for giving the cheers was, that he was disgusted with hearing the hon. and learned Member so repeatedly insinuating improper motives for the conduct of the Ministerial side of the House. If the hon. and learned Member would abstain from such remarks, he would command attention from the House.

Mr. *Goulburn* observed, that notwithstanding what had fallen from several of the preceding speakers, he should think it his duty to persist in calling for explanation on the different clauses of this Bill, whenever he deemed that they stood in need of explanation. Hitherto, Ministers had never declined to give such explanation as was in their power. He asked for explanation, not with a view of offending the supporters of the Bill, but because he really considered it to stand in need of explanation.

Sir *Henry Hardinge* said, that it was intolerable to hear such insinuations as were nightly made against Gentlemen on his side of the House, because they ventured to point out the imperfections and absurdities of the Bill. It was impossible that a great measure of this kind should be at once drawn out perfect, and it was the duty of the hon. Gentlemen with whom he acted, to make its imperfections as prominent as possible. They must be permitted to hold their own opinions, and to be attacked for declaring them, was neither fair nor parliamentary.

Question agreed to.

On the question, "that Knighton, Ryador, Kevinlece, Knucklas, and Presteigne, sharing with Radnor, stand part of the Bill,"

Mr. *Frankland Lewis* proposed, as an amendment, that the words "town of," be inserted before the word Presteigne.

Amendment agreed to.

Lord *Althorp* then proposed, "that the towns of Newport and Usk, sharing with Monmouth, stand part of the schedule."

Mr. *James L. Knight* begged to inquire the cause of the change now proposed.

Mr. *Williams* said, the cause was, these united boroughs were constituted by the same Act of Parliament, but did not vote in the same way, but now they would.

Mr. *Croker* thought it would be better not to press the clause at present. It might be added hereafter.

Amendment withdrawn.

Clause six, as amended, ordered to stand part of the Bill.

The seventh clause "that the towns of Swansea, Lougher, Neath, Aberaven, and Ken Fig should, for the purposes of this Act, be taken as one borough; that such borough should, after the end of this Parliament, return Member to serve in Parliament—that the Portreeve of Swansea should be the returning officer of the borough—and that no person by reason of any vote accruing in any of the said five towns should have any vote in the election of a Member for the borough of Cardiff," was read, and the question put, that the blank be filled up with the word one.

Lord *Patrick James Stuart* understood it had been remarked, that the inhabitants of some of these places were against the present measure, but he knew well, that no persons could be more devoted to the cause of Reform, than the inhabitants of Ken Fig. When he further declared, that Swansea had not more than 100 electors, the propriety of the union would be obvious.

Mr. *James L. Knight* said, his objections were founded on local knowledge. The constituency created by the clause, considered by itself, was undoubtedly proper, but it was unfortunately composed of two parties, who were anxious to oppose each other.

Question agreed to, and clause adopted.

On the eighth clause, which contains a description of the returning officers for the newly-created boroughs being put,

Mr. *C. W. Wynn* begged to ask, whether the noble Lord did not intend to make some alteration in the clause? By this clause it was enacted, that in those boroughs for which there was at present no returning officer, the Sheriff for the time being of the county, should nominate and appoint the returning officer. Now the clause did not state, whether the appointment by the Sheriff was to be compulsory on the party appointed. If it was to be compulsory, was the noble

Lord prepared to make any compensation to the returning officer for the onerous duties which were imposed upon him by this Act? He was incapacitated by the present law from being a candidate for the borough of which he was returning officer, during the time of his holding that office, and now by this Bill he was to be incapacitated from being returned as a member for that borough for one year, from the expiration of his office. He was likewise exposed to heavy costs if he misconducted himself in that office. Would any man in his senses expose himself to such risks without compensation, unless the appointment of the Sheriff was made compulsory?

Lord *Althorp* said, the clause was explicit, that where there was no returning officer in a borough, there the Sheriff of the county should have the appointment of that officer, and it would be compulsory on him to make the appointment. He had no alteration to make in this part of the clause.

Mr. *C. W. Wynn* asked, was, then, the Sheriff to have the power of disqualifying any person he pleased from becoming a candidate for the borough? If so, it was a very dangerous power to vest in any Sheriff. He certainly thought that by this clause, the Sheriff would have that power.

Lord *Milton* said, the Bill could not intend that the returning officer should be compelled to act without his consent.

Mr. *Goulburn* contended, that the returning officer ought to have been named in the schedule of that clause which created the borough, and so strong were his objections to the clause as it stood, that when they came to that part of it, he should move, that such offices be named in the column opposite the name of the borough to be created. He saw strong objections to leaving the appointment to the Sheriff, and thus giving him the power to disqualify any candidate for two years. Would not any hon. Gentleman feel it a great hardship, if after he had been selected by a particular body of electors, as a proper candidate, he should be named as returning officer? With the present Constitution, he was convinced, that it would be quite impossible to make the Bill work at all.

Lord *Althorp* said, that the duty of the Sheriff to make the appointment would be compulsory. The Sheriff would not have the power to disqualify any per-

son whom he might select from the chance of representing the borough, for his appointment must rest upon some person not a Burgess, and not residing within the borough. Besides, the objection to the Sheriffs having this power, would apply equally to the law as it now stood regarding Sheriffs themselves, for the Crown had at present the power of incapacitating Gentlemen from being Representatives of their counties, by naming them Sheriffs. He admitted, however, this disqualification only extended to the year of his Shrievalty, but in the case of these newly-created boroughs, where local and personal connexions, might give a returning officer an influence beyond his year of office, he thought it right the disqualification should extend to two years.

Mr. *O'Connell* said, the matter was hardly worth contending for. By the clause, the Sheriff was bound to find a returning officer; but there was nothing to compel the party appointed to accept the office. If the Sheriff, therefore, could not procure the services of a proper person, he was bound to serve himself; but it was never found, that the Sheriff experienced any difficulty, even in the case of the disgraceful office of hangman, which he was bound to execute himself, if he could find no substitute. As the acceptance of the office must be voluntary, there could be no cause for complaint.

Colonel *Davies* said, the hon. and learned Gentleman's explanation would only add to the difficulty. He said the Sheriff would be bound to execute the office himself, if he could find no substitute. But in Cornwall, for instance, there were eight boroughs. Could the Sheriff, therefore, divide himself into so many portions, and be in eight places at once. Again, the Sheriff, by appointing a hangman, created no disqualification, but here a disqualification would continue for two years. Moreover, the Sheriff would have the power of having whom he pleased, and might appoint some connexion of one of the candidates, which might lead to an undue influence.

Mr. *O'Connell* said, the eight boroughs had each their respective returning officers. He had stated, the Sheriff found no difficulty in procuring an executioner, and he would, therefore, feel no difficulty in obtaining a substitute as returning officer, and the person accepting the office voluntarily, would have no cause for com-

plaint, that he was disqualified from becoming a candidate thereby.

Colonel *Davies* said, the hon. and learned Gentleman had not got rid of the difficulty. The Sheriff could not get a returning officer, unless he gave compensation, as there were penalties in the Bill against the returning officer, if he did not perform his duty correctly.

Mr. *C. W. Wynn* said, the only person likely to undertake the office willingly, was some violent partisan, who might wish to assist his friends; and that was a strong ground of objection to the clause as it now stood. He asked, why the disqualification should attach to a returning officer, under this clause for two years, when to a Mayor or Sheriff it extended to only one year?

The *Attorney General* said, this clause had been under consideration for the purpose of getting rid of some of the difficulty attending part of it; but the Bill had progressed with such unexpected rapidity within these two days, that time had not been allowed to make the alteration. He would not object to the postponement of this clause for the present, to put it into a more perfect form.

Mr. *George Bankes* asked, could they (the Opposition) be now accused of delay, when the Attorney General himself admitted, that the Bill proceeded so rapidly, that Ministers had not time to correct an omission of their own in it. When the noble Lord talked of the power which the Crown possessed of disqualifying parties, by appointing them as Sheriffs, did he recollect, that one of the great charges against the unfortunate Charles 1st was, his appointment of popular persons as Sheriffs, in order to disqualify them from being candidates, among whom was Sir Edward Coke? He admitted, that this power of the Crown was not likely to be so exercised now; but the disqualification of returning officers, under this clause, extending to two years, ought to make the House more cautious in adopting it. He would suggest, that the Chairman should now report progress, and ask leave to sit again, for the purpose of reconsidering the clause.

The *Attorney General* said, he spoke of the rapid progress only as compared with the unnecessary delay and waste of time which had heretofore impeded it.

Sir *Robert Peel* seconded the suggestion, that the clause be postponed: it certainly required reconsideration; for the Sheriff,

who had the power to appoint a returning officer, had no power to amend his appointment, or to re-appoint, except in case of the death of the person before appointed: thus, the place might be left without a returning officer, in case the person appointed was ill, or otherwise prevented from performing the duty assigned to him. The officer to be appointed under the Bill, by the Sheriff, was to be disqualified from being a candidate for two years. Would not the same principle apply to the returning officers named in the Bill?

Mr. *Mackinnon* said, they were told by the noble Lord, that the returning officer to be named was not necessarily to be a resident in the borough. So strong were his objections to this part of the clause, that he should move, if it were not postponed, that the following words be omitted from sec. 8 (page 2, line 40):—"That for those boroughs, for which no persons are mentioned in such column as returning officers, the Sheriff for the time being of the county in which such boroughs are respectively situate, shall, by writing under his hand, nominate and appoint, for each of such boroughs, a fit person to be the returning officer for each of such boroughs respectively."

Sir *Charles Wetherell* said, he would not consent to the Sheriff having the power of naming the returning officer for a borough.

Sir *Edward Sugden* asked, ought the Sheriff of Middlesex to have the power of naming the returning officer for all the great districts to be enfranchised round the metropolis at the Middlesex side?

Mr. *Bonham Carter* said, that no more impartial person could be selected than the Sheriff, for he could not, by law, be a candidate for any borough in his county.

Mr. *Goulburn* observed, that he had pointed out the defect in this clause upon a former Debate. The returning officer had no inducement to discharge the duty. Would any man expose himself to the responsibility of that office for nothing?

Sir *James Scarlett* thought, that the Sheriff was the last person that should have the power to nominate returning officers, as he himself was appointed by the Crown, and the Crown might thus, at the eve of a general election, have the power of appointing all the returning officers. Did the noble Lord know how the Boroughreeve and Constable of Manchester were appointed?

Sir *George Clerk* could not avoid observing, that whilst the hon. Gentlemen who supported the Bill, had been blaming others for unnecessary discussion, it did so happen, that one clause, which was to alter the Constitution, was found to be so defective that it could not stand part of the Bill. His hope was, that his Majesty's Ministers, when they brought forward the clause again, would tell them, whether the nomination of returning officer was to be compulsory.

Mr. *Wilks* recommended the printing of the amended clause, in order that the populous districts near the metropolis might see clearly who was to nominate the returning officer. The hon. Member thought, the power of nomination ought to be vested in the Magistrates at Sessions.

Mr. *Cresset Pelham* said, that in all former instances of enfranchisement, the returning officer had been appointed, but here they had large districts enfranchised, and no person named; but the appointment was to be left to the Sheriff, who was himself an officer appointed by the Crown: who was to attend to the police arrangements even, during an election, had not been determined.

Lord *Althorp* consented to postpone the clause, which was then postponed.

The Chairman then read the ninth Clause, "That, in all future Parliaments, there shall be six knights of the shire instead of four to serve for the county of York; that is to say, two knights for each of the three Ridings of the said county, to be elected in the same manner, and by the same classes and descriptions of voters, and in respect of the same several rights of voting, as if each of the three Ridings were a separate county."

Mr. *Wrangham*, being connected with the county of York, hoped he might undertake a task, in the presence of, and during the silence of, the noble Lord, and the hon. Members who represented Yorkshire, which was more properly their business. His hope was, that he might be allowed to name the county of Durham, without being suspected of having any sinister intention of alluding to the influence of any one. The population represented in Yorkshire, under this Bill, was in the proportion of one to 50,000. In Durham the proportion was one to 25,000 or 20,000. It had been said, this arose from the principle of giving Members to large unrepresented towns, and he was not about

to dispute the propriety of that principle ; but he contended, that, as the county of York contained a population of 1,500,000, it furnished a strong reason for giving that county more knights of the shire, according to the principle of giving Members to places inadequately represented. On a former occasion it was proposed, that two additional Members be given to the West Riding, one to the North, and one to the East Riding. The proposal he should make would be an amendment on that, and would give to Yorkshire, for each of the three Ridings, two additional Members. It would then stand, for the West Riding four Members ; to each of the other two Ridings he should give three Members, and thereby increase the knights of the shire of the county of York from the number of six to ten. It would, no doubt, be said, that, in Lancashire, the proportion of Members was less than in Yorkshire. To this objection he should say, give it also additional Representatives ; and he should be happy to support any hon. Gentleman, connected with that county, who should make such a motion. He begged further to be allowed to remark, that he was one of those who thought the Representation of England should not be diminished, and that of Scotland and Ireland increased in proportion. He saw no reason for such an increase of Members for those parts of the empire as had been proposed. And as it had already been stated, the noble Lord had a large bank of Members in reserve, he trusted there would be no difficulty in granting the additional ones he required. He should therefore conclude, by moving as an amendment, that the blank be filled up with the word “ten” instead of “six.”

Lord *Morpeth* begged to assure the hon. member for Sudbury, that he should never be backward to advocate the interests of his constituents, whenever, in the exercise of his discretion, he thought these were not sufficiently attended to ; but, after all, he did not think the hon. Gentleman had made out a strong case. Had any populous place in Yorkshire made such a claim as, in his opinion, would entitle it to Representation, he should have been the first to advocate the cause. He did not conceive, that the Bill proceeded upon the principles of geographical space or numerical population. It kept untouched the boundaries of counties, and did not divide England into electoral divisions. It was curious

enough, that a petition had been presented from the county of Lancaster, complaining that too large a share of the Representation would be apportioned to Yorkshire, which was the very place that the hon. member for Sudbury had fixed upon as having too little. He could not think the efficacy of the Representation of any particular county depended upon a long list of Representatives, but that the Members should represent populous and wealthy districts and places. Yorkshire contained many large, opulent, and commercial towns, and he rejoiced that to these Members had been given ; and that, while Boroughbridge and Aldborough had been extinguished, Leeds, Huddersfield, Sheffield, Wakefield, and Bradford, had received Representation, and two additional Members were besides given to the county. On this subject, he must remark, that the hon. Member had made a mistake, and taken the word “ten” for the word “eight,” which he thought he must have meant to use. From former associations that were dear to him, he might regret the county was to be divided ; but he submitted to that with good grace, and, indeed, was ready to advocate it, when he considered the paramount necessity of Reform, and that this division grew out of that measure. He certainly should support the original Motion.

Lord *Stanley* was not aware of any petition having proceeded from the county of Lancaster, complaining of an undue share of Representation being allotted to Yorkshire. Though the people of Lancashire would, of course, be anxious to obtain as many Representatives as possible, they were not desirous of having favour shewn them at the expense of the country in general.

Mr. *Sadler* said, if there were any intelligible principles of property or population in the present Bill, they were certainly violated in the case of Yorkshire. He could not understand upon what principle it was, certainly not those of property and population, that the great county of York was to have only six Members, while four were given to the county of Durham, and two to the comparatively insignificant county of Rutland. They had been told by the noble Lord opposite (Lord *Morpeth*), that the efficiency of Representation did not consist in a large array of Members ; and by this, he had entirely destroyed the only ground that had been

taken for this great and sweeping change. Durham would be represented in the proportion of one county Member to a population of from 52,000 to 54,000, while in the West Riding, the proportion would be only one to a population of 400,000. Why not give a Representative to the large and increasing town of Barnsley, with a population of 12,000, and which was the great mart of the linen manufacture in Yorkshire? By the census of 1831, the rural population of the West Riding could not be less than 800,000. In 1821 the population of the West Riding was 600,000, and it could not be less now than 800,000. However perfect the Bill might be in theory, it was impossible it could, with such anomalies, continue long without alteration. It carried in its very constitution a principle of change. It would not satisfy the people of Yorkshire, who were not very easily overreached in any transaction. They would soon find, that they had not received their due share in the Representation. The House was not engaged in any trivial proceeding; they were about to alter the Constitution of the country; and, therefore, they were bound to act on fair and equitable principles.

Sir *George Murray* said, he was glad to hear from the noble Lord (Morpeth), that one principle of this Bill was, not to disturb the ancient boundaries of counties. He hoped this principle would be followed with respect to Scotland also, and that the great county which he had the honour of representing would not be mutilated. He trusted there was no man, of whatever party, in that country who would not hear of such an attempt with indignation, and he was, therefore, delighted to have such excellent authority as that of the noble Lord, the member for Yorkshire, for saying, that such a course would be inconsistent with the principles on which the Bill proceeded. He could enter into the noble Lord's feelings when he regretted he might be returned for some division of Yorkshire, instead of the whole county, he therefore trusted, that the noble Lord would perceive, that he had much greater cause for regret, inasmuch as the county he had the honour to represent was to be mutilated, for the purpose of enlarging two small counties in the vicinity, which were nomination counties, and required this addition to give them a shew of independence.

Mr. *John Wood* was surprised, that the

member for Aldborough had entirely forgotten, or at least did not mention, that there were seven Members given to the great manufacturing towns in the West Riding; Leeds was to have two; Sheffield two; Bradford one; Halifax one; Huddersfield one; and Wakefield one; so that the proportion of Representatives was one to 32,580, while in Lancashire it was only one to 47,857. He trusted he had, by this simple statement, removed the hon. Member's cause for complaint.

Mr. *Sadler* said, he did not consider himself at liberty to allude to the newly-created boroughs when the subject under consideration was the county Representation. He spoke merely of the rural population, and mentioned the town of Barnsley only incidentally. He begged to tell the hon. member for Preston, that he considered himself perfectly justified in the statements he had made. It was impossible to defend the proposed distribution of Members on any good grounds, for the immense rural population of the West Riding were to be represented by only two Members.

Sir *John Johnstone* said, there was a contradiction in the arguments of the hon. Gentlemen opposite, some of whom said, the north was over-Membered, in comparison to the south; while others proposed, that more Members should be given to the county of York. He understood the principle of the Bill to be a just balance between the manufacturing and agricultural Representation. The people of the West Riding were more a manufacturing than a rural population. By the seven Members given to the manufacturing towns in this district, he was convinced, these interests would consider themselves adequately provided for by this Bill. He should therefore vote against the amendment proposed.

Sir *Robert Peel* said, if the proposition of the member for Sudbury were pushed to a division, he should vote against it. He thought Yorkshire was pretty well provided for already. It was divided into Ridings, which were to return each two separate Members; and if this proposition, of giving Yorkshire ten Members instead of six, were acceded to, they would give the manufacturing interest an undue preponderance, it being plain, from the number of towns, that this interest would be likely to outweigh that of the rural population.

Lord *Althorp* said, the data upon which the hon. member for Aldborough argued, seemed uncertain even to himself, for one time he stated the population at 800,000, and another time at 600,000. The Members for the manufacturing towns would greatly assist the county Members for the West Riding, because they would consider it their duty to attend as well to the agricultural as to the manufacturing interest. The other two Ridings would gain one Member each.

Mr. *Sadler* explained. When he spoke of a population of 600,000, he alluded to the census of 1821, and to that of 1831 when he mentioned 800,000.

Mr. *Stuart Wortley*, as a Yorkshireman, must, he said, dissent from the member for Sudbury. He did not think the county was worse off by not having a larger share of Representation, and was quite satisfied with the share it had obtained. On the whole it had received greater advantages than any other county. The manufacturing towns were to be represented. The county would still retain its three divisions, and while other counties would be distracted in consequence of the new division, he trusted their elections in Yorkshire would be carried on with the tranquillity which heretofore distinguished them. If a division took place, he should certainly vote in favour of the clause as it at present stood.

Mr. *Wrangham* disclaimed imputing any neglect of duty to the members for Yorkshire, as seemed to be insinuated by the noble Lord (*Althorp*).

Mr. *Cresset Pelham* thought it would have been a preferable arrangement for the whole county to elect the Members, be they six or four, than to divide the county, and give two Members for each of the three divisions. By this means the joint interests of agriculture and manufactures would be better represented. So convinced was he of this fact, that he should prefer four Members for the whole county, to six if it was divided into districts. But if the noble Lord had fully determined that Yorkshire was to have six Members, he would most earnestly recommend him to take care they represented the agricultural portion of the community.

Mr. *Petre* preferred two Members for each Riding to four for the whole county.

The question "that the blank in the clause be filled up with the word six," was agreed to without a division.

On the question being put "that clause nine, as amended, stand part of the Bill,"

Mr. *Stuart Wortley* wished to know what arrangement was to be made as to the returning officer for the three Ridings, as no provision was made by the Bill.

Lord *Althorp* said, the Sheriff would be the returning officer.

Mr. *Cresset Pelham* could not see how one Sheriff could act for the three Ridings as returning officer. Ministers might just as well expect one Sheriff to act for three counties.

Clause agreed to.

The 10th clause—"And be it enacted, that in all future Parliaments there shall be four Knights of the Shire instead of two to serve for the county of Lincoln—that is to say, two for the parts of Lindsay in the said county, and two for the parts of Kesteven and Holland in the same county; and that such four Knights shall be chosen in the same manner, and by the same classes and descriptions of voters, and in respect of the same several rights of voting, as if the said parts of Lindsay were a separate county, and the said parts of Kesteven and Holland, together were also a separate county"—was next put.

Colonel *Sibthorp* contended, that taking into account the wealth and population of the county of Lincoln, it did not get its fair proportion of Representatives, compared with Durham, which was to receive ten new Members, while its population was considerably less than that of Lincoln. He thought he could not be accused of casting unfair imputations, when he said, he could discover no other motives than partiality for such proceedings. Lincolnshire had great reason to complain of this discrepancy. It was well known, that the agricultural interest predominated there, and those interests were not sufficiently protected by the selection of places to have the right of franchise. The manufacturing interests would obtain the complete ascendancy. This Bill would otherwise lead to great inconvenience, by altering and breaking up the ancient boundaries of the county. He should take a future opportunity of endeavouring to show, that it must ultimately have the effect of annihilating the agricultural interest of the country. He would recommend the Attorney General to take home the Bill and burn it, and bring in an entirely new one, intelligible in its details, and founded on just principles.

Mr. *Wilks* expressed a wish, that this tenth clause should be postponed until that relating to the boundaries of counties generally was disposed of. It would be much better that the boundaries of counties should be settled by the Legislature than by Commissioners.

Lord *Althorp* thought, they might as well discuss the question of the division of counties on the present clause as on the following. As to the objection, that the discussion would be interrupted by the proposed enactments of the ensuing clause, he would remark, that there were extraneous matters in that which would prevent the objection from holding. He saw no good reason for the postponement. The three divisions of the county of Lincoln, Lindsey, Kesteven, and Holland were legal divisions already well known. If there was any strong objection to the clause, he was ready to postpone it.

Sir *Robert Heron* said, that the hon. member for the city of Lincoln had asserted this measure would annihilate the agricultural interests of the county of Lincoln; it was very strange, if such were the fact, that, with the exception of a petition from Gainsborough, praying that there might be one Representative for that place, the feeling in the county of Lincoln was unanimous in favour of the arrangement proposed to be effected by this clause. He had just returned from Lincoln, and could take upon himself to say, that the feeling of the inhabitants of that county was decidedly in favour of the Bill.

Colonel *Sibthorp* felt most anxious that the clause should be postponed. There were many points on which he wished to make observations, and he thought he should be able to prove, that the manner in which it was proposed to divide the county would have the effect of converting it into something like a nomination borough.

Lord *Milton* must also join in recommending the postponement of the clause. The interests of the county of Lincoln, although perhaps not so generally understood, were nearly equal in importance to those of Yorkshire.

Mr. *Wilks* said, that he objected to the proposed division of the county of Lincoln, not on any narrow local grounds, but because it would have the effect of subjecting one of the divisions to the influence of nomination as completely as if it were a nomination

borough. He must, at the same time, deny the assertion of the hon. Baronet (Sir Robert Heron). A portion of the people of Lincoln were undoubtedly in favour of the measure, but they were by no means unanimous. He must again urge, that they would make an unfair decision if they determined this clause without going into the one following.

Sir *Robert Heron* had just returned from Lincolnshire, and could take upon himself to say, the people were all but unanimous in favour of the measure.

Mr. *Wilks* assured the hon. Baronet, that the most respectable people of the county were fully convinced that the effect of this clause would be, to convert Lincolnshire into a close county, and that certain interests would necessarily return the Members.

Mr. *Goulburn* said, that the fact stated by the hon. Member who had just spoken, ought to induce the House not to determine on the division of counties, until they should ascertain the manner in which the division was to be effected.

Mr. *Hughes Hughes* requested the noble Lord to postpone the clause, otherwise he should be obliged to take the sense of the Committee on it, because it involved the principle of the general division of counties. As he had given notice of his intention to move, that the division of counties should not stand part of the Bill, it might be supposed, on this clause being read, he should have immediately submitted his Amendment, but upon inquiry into the situation of Lincoln, he found, that although, like York, it had but one Lord-lieutenant and one High Sheriff, yet there were three commissions of the peace, the Magistrates acting only in the districts in which they were appointed. He had further ascertained, that one exact moiety of the county rate was borne by the part called Lindsey, and the other moiety by the parts of Kesteven and Holland, in the proportion of two-thirds and one-third. This county, from these circumstances, appeared therefore to be already divided, and the unconstitutional part of the Bill not bearing so strongly on this clause, he was unwilling to bring forward the argument on the general question in the weakest part of the case.

Lord *Althorp* said, that he would consent to postpone the clause.

Mr. *Hume* said, that the noble Lord ought to be prepared to state to-morrow

in what manner the division of counties was to be effected. He was informed, that the result of the proposed division would be, to convert the Southern counties into so many nomination boroughs. He was anxious to throw as few difficulties as possible in the way of the Bill; but he could not, as a Reformer, be at once the agent for destroying and creating nomination influence.

Mr. *Sadler* was perfectly convinced, whatever might be the general effect of the clause, that there was no ground whatever for saying, it would convert Lincolnshire into a nomination county.

Sir *William Ingilby* declared himself of the same opinion, and begged to deny the assertion distinctly. Property would have an influence in Lincolnshire, as in every other place, but this measure would not give an undue influence to any particular person.

Mr. *Heathcote* thought it was perfectly ridiculous to suppose, that such a county as Lincoln could be subjected to the power of any individual. Could any person really believe, that a large independent and populous county, containing 300,000 inhabitants, divided into two districts nearly equal, would necessarily become a nomination county from the influence of any one large proprietor. He had been very much surprised at hearing such assertions made, and he begged leave to assure the House, there was in general throughout the county, a feeling of great satisfaction at the proposed measure.

Mr. *Sadler* must be permitted to remark, that the Bill was said to be founded upon the necessity of doing away with nomination places: and certainly if they went on to create a new system of nomination, the measure could be of no service.

Mr. *Heathcote* could assure hon. Gentlemen, there was no fear of such a result in Lincolnshire; the county was one of the largest in England, and naturally divided. The hon. Gentlemen had, in his opinion, wholly failed in making out their case.

Mr. *Wilks* could only assert, that assertion must be met by assertion. He still retained his opinion; at this late hour he would not exhaust the Committee further.

Clause postponed. The House resumed: Committee to sit again the the next day.

DUCHESS OF KENT'S ANNUITY BILL.]

On the bringing up of the Report on the Duchess of Kent's Annuity Bill:—

Lord *Althorp* said, he would take that opportunity to state, in reply to a former question which had been put by the hon. member for Middlesex, that it was thought inexpedient to make any technical alteration in this Bill, for the purpose of enacting, that the annuity should revert to the public in case of the decease of the Princess Victoria, or the birth of children to their present Majesties.

Mr. *Hume* observed, that the Bill, as now worded, would have the effect of continuing this annuity to the Duchess of Kent, notwithstanding the occurrence of either of those contingencies to which the noble Lord had alluded. It could not be intended to continue the grant of 20,000*l.* a-year in case of the death of the Princess. He would therefore recommend the introduction of a clause, making it to cease and determine in the event of the decease of her royal highness the Princess Victoria.

Lord *Althorp* replied, that such a melancholy event was most improbable, and the intention of the Legislature was sufficiently obvious to render the proposed alteration in his opinion, unnecessary.

Mr. *Courtenay* thought there could be no rational objection to the proposed alteration.

Mr. *John Wood* had no wish to prevent a regular provision being made for the Duchess of Kent, in the event of her surviving the Princess her daughter, but he considered this Bill to be worded in such a vague manner, that it would be liable to misconstruction, and he thought it was necessary to obviate this.

Mr. *Watson Taylor* was also of opinion, this clause had better be revised. He felt great delicacy in alluding to the subject, but he thought the Bill should be so worded, as to continue the grant to the Duchess of Kent in the event of her outliving her daughter.

Lord *Althorp* said, that perhaps, under all the circumstances which had been noticed it would be better to postpone the consideration of the report.

Mr. *Hughes Hughes* perfectly agreed with his hon. and learned friend, the member for Preston (Mr. John Wood), that this Bill was worded in a defective manner, and he therefore recommended the noble Lord, (the Chancellor of the Exchequer), so to alter it as to make the grant a per-

manent provision to the Duchess of Kent, to which as the mother of the presumptive heiress of the Crown, she was fully entitled.

Mr. *Ruthven* thought it improper to make such objections to the grant for an illustrious Member of the Royal Family, as had been done by the hon. member for Middlesex; such miserable economy was uncalled for.

Mr. *Hume* considered the hon. Gentleman who spoke last very inconsistent, in defending a Bill which would effect one purpose under the colour of effecting another. That might be an Irish way of legislating; but it was wrong to accuse a man of "miserable economy," for endeavouring to effect a straight-forward purpose.

Mr. *Ruthven* agreed with the hon. Member. An Irishman always desired to act liberally by the Royal Family.

Lord *Althorp* said, his only object was, to consider the propriety of making any necessary alterations in compliance, with the observations that had been made, and he would therefore postpone the further consideration of the report.

HOUSE OF LORDS,
Thursday, August 11, 1831.

MINUTES.] Bills. Read a first time; to repeal 7th George 4th, entitled, an Act to Amend the Law of Ireland, relating to the Assessment and Sub-letting of Lands, and to make other provisions in lieu thereof. Read a second time; the Ecclesiastical Lands Exchange.

Returns ordered. On the Motion of the Marquis of LONDONDERRY, for an account of the number and names of the Governors of the Irish Counties; and an account of those who also exercised the duties of Custos Rotulorum; of the names of Magistrates in Commission of the Peace for each county:—On the Motion of Lord TEYNHAM, for an account of the Magistrates whose names have been struck out of the Commission of the Peace for the last three years, with the causes thereof.

Petitions presented. By the Earl of FINGALL, from the Inhabitants of Wells and Navan, for an alteration of the Grants for Education (Ireland).

THE CORONATION.] Viscount *Strangford*: I take the liberty of putting a question to the noble Earl, which, as it is neither relative to the French invasion of Holland, nor to the spoliations of that nation in Portugal, I hope the noble Earl will answer, as I think he can, without any inconvenience to the public service, or any danger to his Administration. I wish to know whether, among the many unseemly mutilations and curtailments, that it appears his Majesty's approaching Coronation is to be subjected to, it is true that the Peers of England are to be deprived of the right—I say, my Lords, the

right and duty, of humbly carrying their homage to the foot of the Throne, at the moment that his Majesty enters into a solemn compact with the people? I understand it is intended, that this part of the accustomed ceremony, instead of being performed by each individual Peer, in his own proper person, is to be undertaken by delegates, representing each rank of the Peerage, and who are not to be selected by us, but by his Majesty's Ministers. They kindly take this opportunity of presenting the nobility with a sort of god-fathers, who are to promise, on our behalf, that faith, duty, and loyalty which we are not to be allowed to tender for ourselves. I hope, sincerely, that I have been misinformed on this subject, and I look to the answer of the noble Earl with some degree of impatience, as on that will depend whether certain noble friends of mine will be able to attend at the ensuing Coronation. To do that, under other circumstances, they would be most proud and happy; but they may doubt the propriety of sanctioning by their presence, an arrangement which is, perhaps, as unworthy of the dignity of the Crown as derogatory of the rights of the Peerage.

Earl *Grey*: I don't know if I can give any distinct answer to the question of the noble Viscount, and I have but little chance of satisfying him upon the subject, after the opinion he has declared as to what he calls the unseemly mutilations and curtailments of the ceremony of the Coronation. I believe, that the sentiments of the noble Viscount, with regard to the arrangements which his Majesty has been pleased to command respecting his Coronation, are not generally shared, and it does not rest with him to decide whether those curtailments are unseemly or unnecessary, but with the public at large, who, I am persuaded, will do any thing but concur with him in his opinions, so far as this matter is concerned. I can only assure the noble Viscount, that what we have recommended to his Majesty to do, has been called forth by the desire which his Majesty has himself expressed, and which his feelings have prompted him to express on every occasion when the opportunity was afforded—by the desire, I repeat it, of avoiding the making of any unnecessary demand on the public purse. It was with that view the arrangements for the Coronation have been undertaken, and I trust your Lordships will be of

opinion that, while nothing essential to the ceremony shall be omitted, many parts may be abridged which are not consistent with the usage and spirit of the times, and by which the expenses of the Coronation would be materially increased. It is on that principle, my Lords, we are acting; and, I think, in the present situation of the country, the curtailment of forms which are neither essential nor necessary, and by which a large portion of the usual expenses of a Coronation can be saved, will meet with your approbation, as I am assured it will with that of the public at large. With regard to the particular question which the noble Viscount has put to me, relative to homage being done by delegates from the body of the Peerage, and not by the Peers individually, who are to appear, according to the noble Viscount, as the sponsors or godfathers of their respective ranks, I can only say, that I do not know if any such arrangement is decided on or not. The subject is yet under the consideration of the Privy Council. All that I know is, that I am certain his Majesty will not make that selection, and the choice of those noble Lords who will become the representatives of their illustrious ranks will not depend upon his Majesty's Government, but upon the Peers themselves. But, my Lords, on this particular point nothing has been yet determined; but your Lordships may rely, that every thing will be arranged with a view to the convenience of the public service, to a due regard to the dignity of the Peerage, and with a desire to afford full facility to the nobility of the kingdom, to tender that homage and obedience which we all agree in bearing to the sovereign of the country. It is not in my power to say any thing more decided at present; and I have only to trouble your Lordships with a few words in addition to what I have said, for the purpose of replying to the assertion of the noble Viscount, that it was customary, on all former occasions, for every individual Peer to do homage at the Coronation. If my memory serve me correctly, the noble Viscount is misinformed on that point; and, I believe, there have been no very remote instances when the senior Peer of each rank has tendered homage in the name of that rank. I believe the noble Lord will find the fact to be so, and I trust, that on this, as on former occasions, his Majesty will do nothing incon-

sistent with the public service, the rights of the Peerage, and the honour and the dignity of the Crown.

The Marquis of *Lansdown*: I wish to inform the noble Viscount, that the ceremony of the Coronation is not referred by his Majesty to his Cabinet, but to the Privy Council, and that the Committee of the Privy Council, who have been engaged in settling the arrangements, have not made their report, and, consequently, his Majesty's pleasure has not yet been taken with regard to the particular point which the noble Lord has called your Lordships' attention to.

Viscount *Strangford*: I find, that the answer of the noble Earl does not afford me the information I required, and I do not perceive, that I am likely to receive any greater satisfaction from the noble Marquis near him. With regard to what he has said respecting the rights of the Privy Council, I speak as a member of the Privy Council, and I declare here, in my place, that all the Privy Council were not summoned, but that a selection from it has been made, similar to that which our Transatlantic brethren would call a *caucus*—particular individuals, likely to carry a particular point, having been chosen, and by them the matter will, no doubt, be most satisfactorily, at least to his Majesty's Government, arranged. Such a theory of arrangement, however, it will be a mockery and delusion to call the act of the Privy Council.

Lord *Holland*: I must take the liberty of telling the noble Viscount, that he misunderstands the nature of the authority by which the arrangements for the approaching ceremony are to be decided. My noble friend has told him, that they were referred to the Privy Council; but, of course, he meant not to the whole, but to that portion of the Privy Council to which his Majesty has thought proper to intrust the arrangements. They have been placed in the hands of a Committee, composed of members of the Council. The King has the power to nominate a Committee from among the members of the Privy Council, to whom separate and distinct duties may be allotted. For instance, that body which is called the Cabinet, in common parlance, is a Committee selected from the Council to carry on the business of the Government of the country; and it is their duty to advise his Majesty on all subjects which concern the

public good. It is not customary to submit the arrangements for the ceremony of the Coronation to that Committee, but to another, chosen by his Majesty for that particular purpose; and his Majesty's Cabinet, though they are responsible, as far as the selection of proper persons goes, are not accountable for the acts of that Committee. The Committee, and not his Majesty's Government, are responsible to the House and to the country; and any person who maintains the contrary, totally misunderstands the nature of the responsibility of the Ministers of the Crown. With regard to the approaching ceremony, I, for one, am anxious that it should take place, as I cannot but recollect, that the country has been for more than a year under the reign of a Sovereign who has not yet entered into the usual solemn compact with his people. It is prudent in his Majesty's Government to recommend the Sovereign, notwithstanding the fatigue that he must undergo, to give his commands that the Coronation should take place, though they may be of opinion, as we all are, that the spirit of the compact exists without the ceremony, and that we are living under as free institutions and as responsible a Sovereign before, as we shall be after, the Coronation.

The Duke of Wellington: I take the liberty of explaining to my noble friend, that with regard to the summoning of a part, and not the whole, of the Privy Council, he is under a wrong impression, and, if I do not mistake, I saw his name in the proclamation in the *Gazette*. With regard to the manner in which the arrangements for the Coronation are usually conducted, I can only say, as far as my recollection serves me, they were made by the whole Privy Council, summoned by proclamation, and not by a portion of that body. I rise, however, to express my concurrence with the noble Viscount near me, and to declare, that I should be most sorry if that part of the ceremony to which he has alluded should be dispensed with. I should hope, as the Privy Council have not yet made a report, that they will take into consideration the feelings of the Peerage, and the wishes of the people, and take care that this part of the ceremony shall not be curtailed, as I know that many noble Lords will not attend unless they are to have the gratification of personally doing homage to his Majesty.

Lord Holland: Though the noble Duke and I appear to disagree about the law of the case, I am certain we do not differ about the fact, and the usual course is, as he says, that the whole Privy Council shall be summoned; and then, as I venture to assert, those members who attend are considered as a Committee, and are commanded by his Majesty to make the necessary arrangements. The members who attend constitute the Committee—they are accountable for all that may be done; and they relieve the Committee of the Privy Council, commonly called the Cabinet, of responsibility, so far as the arrangements are devolved on them.

The Marquis of Londonderry: I think, my Lords, after all that we have heard, that the House has every reason to be grateful to the noble Viscount for having asked this question. I can only say, for my own part, that I am; and I thank him for now giving me the opportunity of saying, that there are Peers in this country who will not depute their right to do homage to the Crown to any person, no matter who that individual may be. I feel, my Lords, the more regret at the narrow manner in which, it appears, the approaching Coronation is to be conducted, because we can all remember how lately the ceremony was performed with a magnificence and a splendor worthy of a great country and a British Sovereign. I am sorry to see, that even in this ceremony the narrow principle of economy is at work. I regret to see it, my Lords; I am sorry to find every where the endeavour to level, to modify, and to reform. No man can justify these alterations. No individual Peer, possessed of feelings of loyalty, will submit to see this ceremony, as well as his rights, abridged, and the most sacred part of them intrusted to other hands. I am glad to see, that in consequence of my noble friend's remarks, the attention of your Lordships and of the country at large will be turned to this subject, and I hope his Majesty's Ministers will see the propriety of acceding to the general wish; and I think, if they do not, a motion should be made, by which the Cabinet, or the Committee of the Privy Council, should be instructed to convey to his Majesty the wishes of the House.

Viscount Goderich: I am astonished that the noble Lord should mix up his sentiments on other political matters with the ceremony of the Coronation, and I

can scarcely trust myself to give expression to my feelings on the subject. With regard to the circumstance which has given rise to his attack on the principle of his Majesty's Government—namely, to the manner in which the homage of the Peers is to be performed—I can only say, that there has not been as yet any discussion in the Privy Council respecting it. The noble Marquis said, that he was sorry to see that even in the matter of the Coronation, there was a disposition to alter and to reform, and that the approaching ceremony was to be performed in a manner altogether different from any that had preceded it. I believe, if the noble Lord inquires, he will find that the homage was paid in the manner stated by the noble Viscount so lately as the Coronation of George 3rd; and, if that be the fact, I leave the House to judge of the propriety of the attack which the noble Marquis has made upon the levelling design of his Majesty's present Administration. It would be well if the noble Lord paused before he made reflections so totally unconnected with the subject under discussion; and, however others may think of the motives which the noble Lord attributed to me and to my colleagues, I can only say, for them and for myself, that we totally repel them as unjust and unfounded.

Earl Grey: I beg to be distinctly understood, that the main object which his Majesty's Government had in view, in the advice which we gave the Crown, is to keep down expense; and, while the last Coronation cost the country 240,000*l.*, it is now proposed that the ceremony shall not exceed a fifth of that sum.

The Lord Chancellor—It gives me no satisfaction to have to vindicate myself for a neglect of my duty at the expense of your Lordships on both sides of the House, as you have managed to create a Debate with regard to an important subject, between the interval of my receiving notice of a motion on a different subject, and my putting it.

The Marquis of Londonderry: My Lords, I must say a few words in order to set myself right. I feel that his Majesty's Ministers have been doing every thing to destroy this blessed Constitution. That is my opinion. I repeat it to the noble Viscount opposite; and I tell him, when I am engaged in declaring my opinions to the House, I defy any noble Lord to arrest me.

The Marquis of Lansdown: If the noble Lord has any desire to bring the conduct of his Majesty's Government under consideration, he should make a motion on the subject.

The Marquis of Londonderry: I am aware of that, but I think I have a right, according to the custom of your Lordships' proceedings, to take advantage of a question being put, and to give an illustration of the general principles which the answer to that question makes manifest.

Lord Holland: I must rise to order. A great deal of irrelevant matter has been already introduced, and it is full time that this discussion should be put an end to.

The Marquis of Londonderry: Surely, even if it be moved, that the House do now adjourn, I have a right to introduce a subject which I think calls for the immediate notice of your Lordships. I see that the noble Lords at the opposite side of the House are ready to rise, one after the other, and fully to debate any point relative to the Coronation, or any other question; but, if I rise to answer them, I am met instantly with a point of order. I will put it to your Lordships, whether I should not be allowed to complain of the unfair manner in which the noble Viscount attacked me. If your Lordships are of opinion that I should not go on, I am not desirous to press my right against your wishes. I merely sought to express my respect for the Crown.

The Duke of Richmond: As a Member of this House I must say, that no one has been guilty of a greater want of respect to the Crown than the noble Marquis, inasmuch as he declared that he would not attend the Coronation, in case he was not suffered to tender his homage to the Sovereign as he pleased.

The Marquis of Londonderry: I am astonished at the noble Duke, and I defy him to charge on me a want of respect to the Crown. If the noble Duke asserts that I have shown disrespect to the throne, I repel that imputation with disdain. So far from it, I call on his Majesty's Ministers to suffer me, in common with your Lordships, to do homage to the Sovereign, according to the usual custom of the country, and I trust that the question put by the noble Viscount near me will bring them to a just consideration of that point. With respect to its being imagined that I would offer disrespect to the Crown, I can

only say, that I thought my whole life—my early military habits—my association at that period with the noble Duke, would have saved me from being subjected to that charge. I thought that the noble Duke, changed as his politics are—fighting as he now does under a different banner from me—I thought, at least, that he would be the last man to think me capable of showing disrespect in any way to the Sovereign of the country.

REPEAL OF THE COAL DUTIES.] On the Motion that the Coal Duties' Repeal Bill be read a third time,

The Duke of *Wellington* observed, that no question could well require more attentive consideration than the subject of this Bill. It required a great deal of explanation, before their Lordships ought to consent to it. Some of the clauses, particularly those repealing the additional duties on Barilla and Soda, were objectionable, and on them he wished for more specific information. The object, however, of the Bill was, to repeal the duty on coals carried coastwise; but, anxious as he was for the abolition of such a duty, he doubted whether the state of the revenue could at present allow of the reduction; for, if the financial circumstances of the country were inquired into, he was firmly persuaded it would appear, that our receipts were hardly adequate to meet our expenditure. He thought, that the local taxes on coal, such as existed at Brighton, ought to be repealed, and that every obstruction which impeded this trade elsewhere, should be taken off, before the government duty was removed. It was his opinion, that the noble Earl should have begun by putting an end to all the abuses of the coal trade in the city of London, which were now as rife as they ever had been. He was aware, indeed, that some Resolutions had been adopted by the House of Commons on this subject, and some progress had been made in a Bill to remedy these abuses, but as long as the local tax existed, there must be abuses, and there must be, in consequence of those abuses, a high price of coal. As a proof of that position, he would merely remark, that though there had been a reduction of 6s. in the duty on every chaldron of coals since March last, the price of coals, in the port of London, was quite as high now as it was before the duty was repealed. The late Ministers had

intended to put a stop to the abuses in the port of London, and for that purpose, it had been their determination to put a tax on the coal, at the time of its export from the north of England. By such an arrangement, the public would derive some benefit from the reduction of duty, whereas, at present, they derived no benefit, whilst the Treasury lost considerable revenue. The duty, also, on the export of coal, had been reduced; but that reduction in England, had been followed by the imposition of an equal duty on its importation into Holland, and he did not suppose, that any person would represent that reduction as a boon granted to the coal-owner, whatever it might be to the king of Holland. To make these remarks, was not, however, the principal reason for his troubling their Lordships on that occasion, but rather to call their attention to this fact—that these measures of the reduction of duty had been carried into effect, by virtue of the prerogative of the Crown, under the authority of two votes of the House of Commons, of which the first was passed in December, and the second in March last—the constitutional rights of their Lordships, to give their opinion on the repeal of these taxes, being entirely passed by. This act of the prerogative—or rather, he should say, this illegal act—had been aggravated by the dissolution of Parliament, for then the authority of the House of Commons was gone; and yet these duties had been repealed, though there was no authority whatever for that measure, except an order from the servants of the Crown, at the head of the Treasury; they had thus taken on themselves the authority of the whole Legislature. He did not mean to assert, that the dissolution of Parliament might not be necessary—all that he meant to ask the noble Lords was this; “Were they prepared to assert, that it was necessary, on the very day when his Majesty came down to that House, to put an end to its existence?” Could they not have allowed Parliament to have sat for a few days longer, until they had got from it a constitutional authority for what they had done? Having advised his Majesty to put an end to this tax, he thought that they might have advised his Majesty to abstain from the exercise of his prerogative for that short time, which would have enabled the two Houses of Parliament to give a legal sanction to the acts which they were

about to adopt. For this reason, he had called the attention of their Lordships to the course which had been followed—first, because he believed it to be unconstitutional; secondly, because he considered it to have been aggravated by the dissolution of Parliament; and lastly, because, if it were continued under the new Constitution, it would put an end to the privileges of their Lordships, and make their House of no use. He thought it necessary to make these observations, but he did not mean to oppose the Bill.

Viscount *Goderich* trusted, that he should be able to satisfy the noble Duke, that there were no grounds for the objections which he had stated to the course pursued by his Majesty's Government. He would, however, first of all advert to the points on which the noble Duke had called for further information, and especially to those clauses of the Bill which related to the repeal of the duties on soda and barilla. The remarks of the noble Duke on these clauses, related to a modification of those duties, which had been made by order of the Treasury, without any authority, as it was stated, given by the Legislature. Now first of all he would state, that the duties on barilla had been repealed so long ago as 1829, though circumstances had prevented the Act from coming into immediate operation. The duties on soda had also been repealed in a similar manner, by an Act passed during the last year, in the Administration of the noble Duke himself. The course which the Government had pursued, with regard to the other duties, and which the noble Duke condemned as a great impropriety—he meant the remitting of the duties on a vote of the House of Commons, without the sanction of the other branches of the Legislature—had been the course invariably pursued by all preceding Governments. Whenever a duty was repealed, the alteration in collecting it took place immediately after the resolution for its repeal was carried in the House of Commons. He could assure the noble Duke, that if such a practice were not observed, great confusion would take place among all persons engaged in manufactures. He anticipated that the country would derive great relief from this repeal of the duties on coals. That was no new opinion of his, for he had avowed, years ago, that he considered these duties most unjust, from pressing most heavily on those classes of

the community which were least able to endure their pressure. He knew, that in some of the southern counties of England, they led to great moral evil; for, when coals became so dear in winter, that the poor could not purchase them, the necessity of procuring fuel led them to go about in bands, and to rob the woods to obtain it. He did not agree with the noble Duke, that the best plan would have been, to have got rid of the abuses of the coal-trade in the city of London, before they proceeded to repeal the tax itself. His Majesty's Ministers had repealed the tax first, and then introduced a bill, which was at present in the other House of Parliament, for the correction of the abuses of which the noble Duke complained. As to the opinion, that reducing the export duty on coals would be an injury to our own manufacturers, and would exhaust our supply of coals, that, he must say, appeared to him very absurd. The notion which some persons had very industriously attempted to propagate, that, by the encouragement which it would give to foreign coal-owners to frequent our markets, our field of coal would be speedily exhausted, was to him perfectly ridiculous. He was informed that such fears were totally groundless; for we had a supply of coals which would last for at least 2,000 years. He was not afraid, that by the reduction of the export duties, we should be raising rivals to our own manufacturers; for their superiority was attributable to other causes than either the abundance or the comparatively low price of coals in this country; moreover, the coals exported, could not, or would not, be used in this country. They were generally small coals—what were left at the operation of screening, and which, if not taken away, would encumber the ground. As to the noble Duke's assertion, that our necessary expenditure would not admit of a remission of duties, which would cause such a defalcation of revenue, he would merely say, that there was no ground of fear on that score, if he might trust to the best calculation which could be made of the produce of the revenue for the year, as compared with the expenditure, when the reductions in the establishments on the one hand, and the remission of taxes on the other, were taken into consideration. Judging from what had occurred in the last half year, they had a right to calculate on a progressive

increase of the revenue, able to meet all the demands which our reduced expenditure would make upon it. Their Lordships were not to suppose, that because they repealed a certain amount of duty, they were, therefore, to lose the full amount of revenue which that duty brought in; and, as a proof of his opinion, he would mention, that though the duties which were remitted last year produced a revenue of 2,000,000*l.*, the real falling-off of the revenue, occasioned by their repeal, was only 965,000*l.*; so that there had been an advance of revenue on other articles of consumption, of more than 1,000,000*l.* He fully concurred in the justice of what had fallen from the noble Duke on a former occasion, as to the elasticity of the resources of this country. He was certain that we had no reason to fear, that we should not be in a condition to meet any demand which might be made upon us, and he verily believed, that we were the only country in the world which could stand at present in that position.

The Duke of *Wellington* said, that in the observations which he had offered to their Lordships, he had no wish to depreciate the state of the revenue. He believed that it would be able to meet any demands which might be made upon it. He thought, however, that the noble Viscount was too sanguine in his views, for he had calculated the revenue as if the repeal of those duties had been in full force for the last six months, whereas it had only operated for the last three. With respect to the propriety of correcting the abuses of the port of London before repealing the coal duties, he was fully convinced, that the noble Earl, before long, would be under the necessity either of collecting the duties of the city of London in the north of England, or of giving to the city of London some compensation in lieu of them. So long as the duties were collected in the port of London, abuses would continue; and so long as the abuses continued, the inhabitants of the southern counties of England could not have those advantages from the repeal of the coal duties which the Legislature intended to place within their grasp.

The Marquis of *Londonderry* wished to recommend his Majesty's Ministers to find some substitute for all the imposts which were placed on coal in the port of

London. His reason for addressing their Lordships on this occasion was, to explain how it happened that the price of coals was so high, now that the duty had been taken off. The fact was, that the price had been kept up, in consequence of the stoppage which had been put to the coal-trade in the north, by the strike of the men engaged in it. He wished that he could say, that that system, on which the men acted—of standing out for wages—was put an end to; but, at present, there was great dissatisfaction among them, though the coal-owners had gone a long way—some might censure them for having gone too far—to meet their wishes. He was afraid, from the accounts he received from the north of England, that the people there remained very discontented, notwithstanding these concessions. He deplored the combination of the workmen generally in unions, who were assembling for political purposes, under the mask of regulating the trade. He was sorry, indeed, to say, that the men, from assembling for an increase of wages, had now got to assemble for political purposes. The noble Marquis, in corroboration of this statement, read a requisition from certain members of the Northern Union, calling on their fellow-workmen to meet on the 15th inst. to consider of the propriety of presenting an address to his Majesty, expressive of their loyalty and affection to his person, of their determination to pursue a peaceable demeanour, and not to violate the public peace, and of their gratitude to his Ministers for having introduced a measure of Reform, which was calculated to promote, not only the stability of the throne, but also all the best interests of the people. He hoped that these people might refrain from lawless aggression; but he had some fears, when he knew, that at least 20,000 men were expected to meet in consequence. Now, he really thought that their Lordships ought to adopt some measures to check the proceedings of bodies like these Northern Unions; for, he would ask, were the members of such associations properly qualified to give opinions on the measures of the Legislature? He earnestly wished these people to return to their obedience to their employers, and continue obedient to them; and if they did that, there might yet be some hopes of the prosperity of that part of the country. He appealed to noble Lords, connected with that part of the country, if such proceedings were pro-

per; and he had adverted to the subject, because he felt both a wish to explain the cause of the high price of coals, and to express the apprehension he entertained as to that part of the country.

The Marquis of *Lansdown* augured well, from the advertisement which the noble Lord opposite had just read to their Lordships, of the disposition of the particular classes connected with the coal-trade; for, whatever might be the apprehensions which some persons entertained as to their feelings, it could not but be satisfactory to learn, that it was impossible to convene them together in large bodies, without the profession of sentiments which were at least sound, loyal, and decent. He believed, that their Lordships might, whatever apprehensions existed as to the general temper of the country at the present time, extend the same remark to other classes of the community, and justly state, whatever were the evil designs of some individuals—and he did not mean to deny that evil designs were entertained by some small classes of individuals—they were not such designs as they dared publicly to avow, even to the lowest orders. It was satisfactory to see, that whenever large bodies of men were to be moved, such was the established loyalty of feeling in the country, that it was impossible to bring them into action without calling upon them, in the name of love to their Sovereign, while a constitutional obedience to his lawful mandate was ostentatiously professed. He did not, however, rise so much to make these observations, as to confirm those satisfactory conclusions which might be fairly drawn from his noble colleague's speech, as to the state of the revenue. With respect to the repeal of the duties on coals, that repeal must be imperfect as long as any local duties remained, either in this or any other part of the kingdom. He believed that Ireland would be very much benefitted by a total repeal of all such duties. They ought to be done away—totally done away—in Dublin, as well as in London; and an article that was next to bread, as the foundation of subsistence—that contributed to the physical comfort and enjoyment of the poor quite as much as bread, at the same time, that it was the great means of providing them with employment, and adding to the national welfare—ought to be free as air, and freely carried to and from every part of the kingdom. It ought to find

its way as readily to the furnace of the manufacturer as to the kitchen of the poor man; and ought, in no port or place, to be interfered with by Custom-house or Excise Officers, or impeded in its free circulation. That was, in his opinion, most desirable; and he, therefore, regarded the repeal of the duty, as far as it went, with much satisfaction. With respect to the general state of the revenue, he agreed with the noble Duke, that it would be satisfactory if there were a larger surplus revenue; and he wished that the surplus were much greater than it actually was. He believed, however, that, with all the reductions proposed, the surplus would not be less than 300,000*l.* or 400,000*l.* There were two ways in which the surplus might be looked at. It might be kept up by keeping up all the present taxes, or they might be reduced, with a view of promoting the prosperity of the country, and so increasing the resources and providing a large additional revenue at some future time. He was happy to say, that the country was once more in such a situation, that the repeal of taxes on articles of consumption, did not lead to a diminution of the revenue, but rather to the reverse, in consequence of the additional employment which it gave to capital employed in manufactures. He looked forward to a great improvement in the revenue, by so removing taxes as to allow the natural resources of the country to expand themselves by means which at once gave relief to the poor, and encouraged the capitalist to embark his means in providing fresh employment for them. They ought to look to the repeal of taxes which would have such effects; and the repeal of the tax on coals possessed all these good qualities. It encouraged trade; it stimulated manufactures; it furnished, at once, relief to the lowest classes of the population, and means of increased exertion to the capitalist; and thus, by extending the resources of the country, provided the materials of increased revenue to the future statesman. A similar result would be produced by the repeal of the tax on printed cottons, which formed part of the same plan; that repeal had, in particular, been very beneficial to Ireland; and he, therefore, concluded, that both taxes had been rightly selected, as fit objects for remission, by his Majesty's Government. He trusted that their Lordships would never be betrayed into any hasty alterations of their

system of finance ; for, from all such alterations, great danger necessarily ensued. The best mode of proceeding was, to change, cautiously and gradually, such parts of it as they might deem defective. That mode had been adopted in the present Bill, and he trusted that their Lordships would proceed to review the remainder of the taxes in the same spirit, and to repeal such of them as pressed on industry, and fettered trade, and the repeal of such taxes would both give immediate relief, and promote future production.

The Bill read a third time, and passed.

HOUSE OF COMMONS,

Thursday, August 11, 1831.

MINUTES.] Bill brought in. By Mr. Alderman WOOD, to Regulate the Navigation of Steam Vessels in certain parts of the River Thames.

Returns ordered. On the Motion of Mr. ROBINSON, of the official value of English and Irish produce, and Manufactures, and Colonial produce, exported from Great Britain, together with the Imports into Great Britain, distinguishing the several Countries Exported to or Imported from, for the year ending the 5th of January, 1831; and similar Returns for Ireland:—On the Motion of Mr. RUTHVEN, of the gross and nett amount of the Malt Duties in Scotland for the twelve last years, respectively; and the amount of the drawback in each year:—On the Motion of Mr. EDWARD LYTTON BULWER, the quantity of Silk Gauze Ribands Imported since July 5, 1826.

Petitions presented. By Mr. HENRY LYTTON BULWER, from the Directors of the Poor of two Parishes of Coventry, against the Settlement of the Poor Bill. By Mr. O'CONOR, from the Protestant Burgesses of Galway, for equalizing Civil Rights in that place. By Mr. HALSE, from the Merchants and Ship Owners of St Ives, Cornwall, against the duties for Marine Insurance. By the LORD ADVOCATE, from the Ship Owners of Dundee, against the exaction of Fees on account of Quarantine on Vessels from the Baltic. By Mr. G. LAMB, from the Catholic Inhabitants of Dungarvon, against the Grant to the Kildare Street Society.

THE IRISH YEOMANRY.] Sir Richard Musgrave presented a Petition from the City of Waterford, signed by a great number of highly respectable persons, praying for an Inquiry into the late affair at Newtownbarry, and also praying the House to adopt measures to disarm the Irish Yeomanry. He heartily concurred in the prayer of the petition, the compliance with which was absolutely necessary to preserve the peace of Ireland. It was certainly most impolitic to arm the Yeomanry—a measure which had caused great alarm among one part of the population in Ireland. He knew that the Yeomanry of the South of Ireland were a class of persons who had long been in open hostility to the Roman Catholics,

and it was, therefore, most impolitic to intrust them with arms before their passions had become subdued. The peace that had so long prevailed in the county which he was connected with, was solely attributable to the non-employment of the Yeomanry; he strongly reprobated the calling out of the Yeomanry at Newtownbarry as a measure most unadvisedly adopted, unless it was shown there had been a want of other species of force. There was on the spot a body of police, and, if they alone had been employed, they would most probably have prevented so much blood from being shed. It was most imprudent in the Magistrates to call out a body of exasperated men with arms in their hands, and the result was such as might have been expected. They were told that the Magistrate was discreet, and the Clergyman pious; perhaps he was reading his Bible when the Yeomanry were shooting his parishioners; but the facts were, that the levy of tithes had been enforced by the one, and the people shot by the order of the other. Whatever reason there might have been for arming the Yeomanry last year, there was no justification for allowing them to retain their arms now. The noble Lord at the head the Government in Ireland must know, that in case of danger the Yeomanry in Ireland, so far from being of service, would be an encumbrance to the regular army.

Mr. Stanley would not enter into the painful circumstances which had induced the noble Marquis (the Marquis of Anglesey) to decide upon the step he had taken; at the same time, it was not quite correct to state, that the Government had adopted any new system of arming the Yeomanry. Lord Anglesey only called in inferior arms, and gave out others which would enable the men to do their duty. He would not at present enter into any irritating discussions upon some topics, which only led to accusations and recriminations, nor would he enter into any defence of the deplorable events that had occurred at Newtownbarry, because, as far as the conduct of the Yeomanry and police was concerned, legal investigation was still pending, which would probably lead to the usual ordeal of trial. He could not but deprecate the discussion at the present moment of statements given at the Coroner's Inquest, and in the public newspapers. He agreed that the Yeomanry was not a force which should be

hastily called out, at the discretion of any individual Magistrate; and though the Lord Lieutenant thought it his duty to refrain from expressing his opinions respecting the Yeomanry, he had thought it proper to express his disapprobation of the calling them out by the Magistrates. If he did not express his disapprobation of the conduct of the Yeomanry, it was because the subject was still under consideration. He begged also to say, that while he was not prepared to promise that the Yeomanry should be either disbanded or disarmed, he was ready to say that it was under the consideration of Government, whether a system could not be adopted which should take from the Yeomanry all that was objectionable, leaving only that which was useful. At present, however, he could not with propriety enter into the details of that measure; but with regard to individual cases, if any proofs could be brought to convict either the Officers or Privates of improper conduct, there was no man more ready than Lord Anglesey to take the subject into consideration, and inflict the fullest punishment upon the individuals. With respect to the proceeding of the 12th July, Lord Anglesey gave orders that none of the Yeomanry should attend the processions, and upon complaint that some of them had attended, they were instantly dismissed. He would take that opportunity of alluding to a statement made last night by the hon. and learned member for Kerry, respecting the distributing of arms to the Protestants of a corps, and withholding them from the Catholics. This statement he begged the hon. and learned Member to repeat, now that he was present, for he had not heard of the circumstance before. If the case turned out as the hon. and learned Member had represented it, there could be no measure so strong that the Lord Lieutenant would not adopt to vindicate the character of the Government, and to show his sense of such improper conduct. He begged to put it to the hon. Baronet who presented the petition, whether it would be proper to move, that it be printed, in consequence of the language it contained, as he should certainly be compelled to oppose the printing of it. He would not object to its being brought up, but he should oppose a Motion for printing it, for the petition used very strong and improper language respecting the affair at Newtownbarry. It

said, that the Yeomanry of Ireland consisted of the most ignorant persons, and that they made their power an excuse for robbery and murder. He should put it to the House whether such language should be allowed.

Mr. O'Connell hoped his hon. friend would persevere in pressing the petition, not only as to its being received, but as to its being printed. The petition stated the fact of the Magistrates having been convinced of the impropriety of employing a force which had done so much mischief. He did not know the distinction between creating and reviving a Yeomanry force; but, until late, that species of force in his own county had been nearly defunct, and merely supported by the Orange Lodge. He was sorry to hear now, that there was no hope that the Yeomanry were to be disarmed, and he could assure the House that it was impossible to say to what extent blood would be spilt by this atrocious force. He was sorry also to be obliged to say, that religious bigotry had been re-animated in Ireland by Lord Anglesey and his servants. They were afraid, too, of the Repeal of the Union, and they encouraged party spirit to weaken the people. If it were intended to massacre the Irish peasantry, if a notion so horrible could be entertained by a set of Ministers with a view of preserving any political system—what better means could be found than to arm one portion of the exasperated people against the other, and exasperate them still more. Let it be recollected, that the right hon. Gentleman (Mr. Stanley), who now used mild language, was the individual who proposed to transport those Catholic peasants who had fire-arms in their possession, while he placed fire-arms in the hands of the Orangemen. He begged the right hon. Gentleman to read the speeches of the Protestant gentlemen at a meeting a short time ago in Wexford, and see their feelings as to Government for arming this unbearable Yeomanry force. Let him look at the language of Mr. Boyce and Mr. Osborne, and the right hon. Gentleman would find it ten times stronger than any he (Mr. O'Connell) had ever employed. In regard to the case which he had mentioned last night, he now repeated, that Captain D'Arcy had distributed arms to the Protestants and refused them to the Catholics of his corps, in confirmation of which he read the names of the witnesses

to vouch for its truth. The witnesses would require the protection of Government, which no doubt they would receive. This Captain D'Arcy was in a procession on the 12th of July, carrying an Orange flag. He had some recollection that the right hon. Gentleman had, on a former night, said, that the arming of the Yeomanry was to cease; but he had heard that several corps had since then been armed. Unless the Yeomanry were disarmed, there would be more bloodshed. He would not enter into the Newtownbarry case, though that was classic ground in the list of Irish grievances, for it was on a petition from that place that Lord Byron made his first speech in Parliament. He would only say, in that case every Officer denied having given any orders to fire; therefore the men must have fired without orders, which was an abundant reason for disarming them. The House would have petitions upon this subject from every part of Ireland; he should have to present one from Galway in a few days. If the Government wanted an increase of force in Ireland, let them send an army there; the King's troops were the people's friends, and between them and the people, notwithstanding the troops were sometimes required to perform a painful duty, the utmost harmony existed.

Mr. *Cole* knew, that the Officer whose conduct had been alluded to was so respectably connected, that nothing improper he might do would be sanctioned by his friends. He would assert, that the Fermanagh Yeomanry was a most Constitutional corps, and they had taken no part whatever in any illegal proceedings. They were chiefly Protestants, undoubtedly, but that did not arise from any exclusive principle, but because the majority of the inhabitants in Fermanagh were of that persuasion. He entirely disapproved of disbanding the Yeomanry, who were a useful and efficient body in maintaining the tranquillity of the country.

Mr. *Brownlow* said, this was a petition for the general disarming of the Yeomanry of Ireland; and the present petition occasioned him considerable embarrassment—not, certainly, with respect to the opinion he should give; but placed as he was in the midst of the Yeomanry of Ireland—living as he did in the midst of a camp of armed men—he was afraid lest what he might say should be construed disrespectfully, as reflecting upon some individuals,

as such, who were the hardy, laborious, and most valuable population of the North of Ireland. He would speak only of the bad, odious, vicious, and dangerous principle—the principle of religious exclusion—on which these Yeomanry were brought together, and he could not but say it with regret, not hostility, that he viewed that as a most dangerous and ill-timed step, which his Majesty's Government had taken, in renewing that force in Ireland, when it was nearly extinct. He very much doubted the wisdom of such a force, even in this country; but surely, if there was any justice in that opinion, it applied with tenfold force and weight to Ireland, where mutual party hostility so much prevailed, and where the unhappy differences between the members of the dominant religions and the Catholics tended so much to foster dissensions. He trusted, that Ministers would review their opinion upon this subject, and remove the source of universal complaint.

Sir *John Bourke*, although he did not like the word “massacre,” did not think that it was sufficient to justify the proposition not to print the petition. He agreed with the petitioners as to the impropriety of calling out the Yeomanry in the present state of party feelings in Ireland. If a greater force were necessary to maintain the peace of Ireland, he should prefer an extension of the military, and of the police. At the same time he would admit, that the services of the Yeomanry had been considerable in times of internal commotion and external danger, and if the same causes should again require their aid, he trusted they would be found fully as efficient as they had heretofore been. But in times of peace to call out a force, that was viewed with so much discontent, was injudicious.

Sir *John Newport* observed, that during the whole of his life he had disapproved of the establishment of the Yeomanry corps in Ireland. They carried into the ranks, feelings which disabled them from acting with discipline or proper order. If a proof of that fact were necessary, it would be found in the different sentiments with which the people of Ireland regarded the Yeomanry and the regular force. Where the latter were quartered, the people considered themselves safe in person and goods, but they had no such confidence in the former, and this was to be accounted for by the inhabitants being divided by

strong political and religious distinctions, which gave rise to great personal animosity. To put arms, therefore, into the hands of one class exclusively, was to risk their being used more against political opponents, than to maintain the general tranquillity. He very much doubted if a Yeomanry force would be expedient in England; in Ireland it was ten thousand times less expedient. With respect to the printing of the petition, seeing that there were many respectable names attached to it, and that, in cases of strong excitement, persons were apt to express themselves in strong language, he should be reluctant to oppose the Motion.

Sir *George Clerk* confessed, that he had no local knowledge upon this subject, and even if he had, he would not debate so important a matter upon the presentation of a petition. But he would certainly vote against the petition being printed, because it would be giving the sanction of the House to its contents; and not only that, but materially prejudicing the trial of parties who were now in confinement. The petitioners talked of the unfortunate affair at Newtownbarry as a "massacre," and if this House sanctioned such a charge, the accused could not expect to have justice done them. Upon these grounds he would vote against the petition being printed.

Mr. *James E. Gordon* said, that he would certainly vote with the Government against the printing of this petition. The conduct of the Irish Yeomanry was easily to be defended, and if he did not enter upon it now, it was not for want of materials, but because a more convenient opportunity might soon occur. Some Members, in the course of these discussions, had ransacked a period of ten years back to find ground of charge against the Yeomanry; but they would have done more justice had they referred to the period of 1798, when the Yeomanry stood in the breach, and rendered the most essential service to England and Ireland, and preserved the connection between them. Upon this subject Members would find valuable information in Sir *Richard Musgrave's History of the Irish Rebellion*. As long as he had a seat in that House, he would never remain silent and permit the characters of innocent men to be aspersed and calumniated. If, night after night, the characters of pious clergymen and respectable Magistrates were aspersed,

he could assure the House, he was amply prepared with evidence to defend them. He could carry the House into a deeper discussion as to the conduct of the Irish Yeomanry than they might be aware, and he was fully prepared with the necessary materials. The Yeomanry of Ireland were loyal and respectable, and had conferred invaluable blessings on both countries.

Mr. *Spring Rice* expressed his regret that this discussion had been protracted, after the tone of moderation with which the petition was introduced.

Mr. *James E. Gordon*: Moderation with a vengeance!

Mr. *Spring Rice*: The hon. Member, in a very unparliamentary manner, has cried out "moderation with a vengeance!" And he put it to the House if the conduct of the hon. Member who presented the petition was not moderation itself, when contrasted with the angry exhibitions so often exhibited by the hon. Member. He had no objection that the complaints of the people should find their way to that House, but he was very much afraid that the medicine of the gallant Officer would rather increase that disease in Ireland, which it might be his object to cure. It was wrong to refer to the period of 1798, except with a view to take warning by the lessons which its history imparted; and it was a little too bad to recriminate the deeds of such a period upon those who were then unborn. If the hon. Member had either that charity or that benevolence to which he laid claim, he would not have referred to 1798. But the gallant Officer had no identity with Ireland—he had neither family ties nor connections with that country—he had no property there to wed him to the soil, or make him seek for the general prosperity of Ireland. Oh, no! if he had, he would not throw such a firebrand amongst an easily-excited people, and thus aggravate the evils which already existed. There was no objection to the reception of the petition, and after this discussion he saw no great objection to its being printed, as its effect would be stated to the world by to-morrow morning in the usual vehicles of information. His right hon. friend (Mr. *Stanley*) distinctly stated, that some improvements would be made in the organization of the Irish Yeomanry; and also, that if any specific abuse was pointed out, it should be investigated, and, if necessary, punishment inflicted. A case had been furnished by the hon.

Member (Mr. O'Connell), and it had been immediately attended to. He had felt very warmly upon the subject, but he could assure the hon. Member, that he neither meant to give pain nor offence. If he, in the heat of debate, had done so, he begged to apologise to the hon. and gallant Member.

Sir *Josiah Host* considered the very principle on which the Yeomanry corps were established, to be in itself a vicious principle. He had never heard the loyalty of that corps impugned; the great crime with which they were charged was a superfluity of loyalty, accompanied with a great lack of discretion. In actual war he had no doubt they would render good service, but bands of politicians were unfit persons to be intrusted with arms in times of peace. He objected to the course which his Majesty's Ministers had taken, in opposing the printing of the petition, which he did not consider to be couched in unparliamentary language. He saw no objection whatever to the printing of the petition, and if the sense of the House were taken upon it, he should certainly vote for it.

Mr. *Stanley* did not consider, that any measure connected with his Majesty's Government was involved in the printing of the petition, but he objected to it on the ground of its stating, that the whole body of the Yeomanry of Ireland were waiting for an opportunity or pretext of murder, to cover their resentment against the Catholics of Ireland. He considered that an expression to which the House ought not to give publicity. If, however, he found the general feeling of the House was in favour of printing the petition, after having stated what he had done, he should not object to it, and would not press the House to a division.

Colonel *Conolly* thought the language of the petition so objectionable, that he must oppose the printing of it. He believed the facts of the case on which it was founded, would by no means authorise the violent and inflammatory language it contained. It alluded to what had occurred at Newtownbarry; he deeply deplored that occurrence—but while legal proceedings were pending on the subject, he thought that no opinion ought to be pronounced upon it, and no sanction given to any opinion by that House publishing it.

Mr. *James Grattan* said, that if the right hon. the Chief Secretary for Ireland

thought it necessary to call out 30,000 or 40,000 Yeomanry, he ought to have, in the first instance, submitted the subject to a Committee of that House. As far as he had an opportunity of observing, not a single Yeoman was necessary. Independent of which, their commanders had been improperly selected; they were mostly violent political partizans, and the armed man who used his weapons against unarmed people, deserved execration, instead of being considered as a brave or useful soldier. The application of Yeomanry to the present condition of Ireland, was like the application of a blister to a sore. Objection had been made to the introduction of the word "massacre" into the petition. To him it appeared, that the act in question was not only a massacre, but an act of cowardice. It was a gross, outrageous, unjustifiable massacre. The Yeomanry of Ireland had been used for the purpose of effecting the Union; he trusted they would not allow themselves to be made the tools of Government in the present times.

Sir *Robert Inglis* said, that many expressions in the petition would be considered libellous in a Court of Law, and that, therefore, the House could not be justified in giving it currency.

Mr. *Henry Lambert* said, the Yeomanry were not a description of force which could be safely trusted with arms at this moment. They had themselves allowed, that their only pretext for firing at Newtownbarry was, that the people were noisy and turbulent, but that no actual riot prevailed, nor had the Riot Act been read. He hoped Government would consent to the prayers of the petition, and disarm the Yeomanry. He must, in the language of the petition, designate the affair at Newtownbarry a horrid massacre, and two honest, industrious fellows, who had voted for him, were singled out and shot upon that bloody plain. The bitterness of party feeling, which led to the massacre, did not end there. When the relatives of the dead were assembled to pay the last tribute to the remains of their friends, the atrocious authors of the deed assembled, and, he was must declare, that the conduct of the Yeomanry, in insulting, by firing outside the chapel, the people whose friends had perished, and who were then offering up their prayers to the throne of God for justice, and not for vengeance, as had been falsely stated, was most abomin-

able. What, he asked, would be the feeling in England, if so cold-blooded an insult had been offered to any number of his Majesty's subjects?

Mr. *Bodkin* considered, that if it were the wish of the Irish Government to ensure the peace of Ireland, the best way to begin it would be to disarm this Yeomanry corps. The right hon. Secretary for Ireland had said, that this was one of the most loyal corps on earth, and he knew not on what foundation such a statement could have been made. Their loyalty had not been proved—their indiscretion had been demonstrated.

Mr. *Stanley* denied, that he had ever used such an expression. He had said, he would not allow any Yeomanry corps, or any Orangemen, or any set of individuals, to lay claim to exclusive loyalty. He recollected, on one occasion, in speaking of this corps, he had said, he did not think their loyalty was to be disputed, whatever he might think of their discretion. That was the utmost extent to which he had ever gone in their favour.

Colonel *Perceval* said, that he deplored the unfortunate transaction at Newtownbarry, but he considered it most unjust to apply to it the terms massacre and slaughter, particularly when the bill of indictment preferred against the parties implicated in that transaction for murder had been ignored by a Grand Jury, composed of the most respectable gentlemen. It should be remembered also, that the parties who considered themselves aggrieved, had refused to prosecute for the minor offence. With respect to the Yeomanry, as a body, he must declare his opinion, that they were of the greatest use in maintaining the tranquillity of the country. In that part of Ireland where the Yeomanry force was generally established, there were only three regiments of the line; whilst, in the other part of the country, where the Yeomanry force was not established, it was found necessary to maintain fifteen regiments of the line. This fact ought to induce the most zealous advocate for the suppression of the Yeomanry to pause.

Mr. *Blackney* said, the Yeomanry of Carlow were composed of as bad a description of persons as any that could be found, and that was the corps that so gloriously distinguished itself at Newtownbarry. One of them, when a prisoner, was brought before him in his character of a Magistrate; that person was

dressed in a ragged frieze coat, and did not appear to be more than fourteen years of age. He should like to know who made such a youth as that one of the corps of Yeomanry? He had documents to prove, that the Yeomanry were frequently composed of the very worst characters, though they were all Protestants. He knew many of the individuals by name; there were several sheep-stealers, pick-pockets, and persons guilty of other crimes among them.

Sir *Robert Inglis* rose to order. He said, if the proceedings of that House were confined within its own walls, he would not object to the statement of the hon. Member; but, as there were means by which those proceedings became known to the public, he submitted whether the hon. Member ought to attach crime to persons who were not present, and could not defend themselves.

Mr. *Blackney* would only remark then, that these corps were composed exclusively of Protestants, and contained amongst them men of the worst character. If the people of England did not wish to see a rebellion in Ireland, this abominable force ought to be immediately dissolved. He believed, even in consequence of the existence of this force, that, had it not been for the exertions of the Roman Catholic clergy, Ireland would now be in a state of civil war. He believed, that it was owing solely to the exertions of the Roman Catholic clergy, that the people had not dreadfully retaliated for the Newtownbarry affair.

Lord *Killeen* said, that in the county which he represented, there were only three Yeomanry corps, which conducted themselves very well. With the view of bringing the discussion to a termination, he begged to ask the right hon. Secretary for Ireland a question. About three weeks ago, the right hon. Gentleman stated, that the issue of arms to the Yeomanry had been suspended. He had since seen, in a publication, a statement that arms had been issued to a certain corps in the county of Wexford; and as lately as the 2nd of August, he perceived, from the Dublin Gazette, that Yeomanry appointments had been made. He wished to know, whether it was the intention of the Government to increase the Yeomanry force?

Mr. *Stanley* said, that Government had certainly given orders to suspend the

issue of arms to the Yeomanry. The arms which had been issued since those orders were given, must have been issued by the commanding officers of the different corps, they having received them from the Government previously to the orders being given. In answer to the noble Lord's question, he could state, that Government had no intention of increasing the Yeomanry force in Ireland. The appointments to which the noble Lord had referred must have been made to fill up vacancies which had occurred.

Mr. *Arthur Chichester* said, that the strongest feeling prevailed in the county of Wexford against the Yeomanry, and that many petitions, of the same nature as the present, would be transmitted to the House. Before this force was organised, that county had been so tranquil, that a company of infantry—the only force that had been stationed there—had been withdrawn. He considered the suppression of the Yeomanry essential to the peace of the kingdom.

Mr. *Wyse* said, there was no question in connection with Irish policy which, at present, excited so much attention, among the people of that country, as the continuance of the Yeomanry corps. The petition before them had been complained of, as containing too strong language; he was afraid many more of the same kind might be expected; but he was of opinion all petitions ought to be received, which were not couched in the most disrespectful language. With regard to the utility of the Yeomanry, he would only refer to the presence and efficiency of the regular military at the Waterford and Clare elections, where it was proved, that they had done more to preserve peace by kind words than the Yeomanry had by their bayonets, to show the uselessness of the latter to Ireland. Let Ministers hearken to the advice of their real friends, in this matter, not from this or that section of the country, but from all Ireland, and then they would not need to tremble for its faithful allegiance; but England and Ireland, firmly united, would be one in reality, as well as in name—a blessing which was, however, only to be obtained by equal justice being impartially distributed.

Mr. *Lefroy* thought, that the time of the House had been most unprofitably occupied for several hours in a discussion about printing a petition. He hoped that hon. Members would discountenance, in

future, such a proceeding. He saw no good whatever which could arise from such a debate, but much contention and ill will.

Mr. *Walker* found it necessary to make a few observations upon what had fallen from the right hon. Secretary for Ireland. He knew from experience, that the Irish Yeomanry were an undisciplined and dangerous body of men, who frequently refused to obey their own officers. It had been said, for example, that, at Newtownbarry, they had not been ordered to fire. They were a tumultuous and ungovernable force, and the distinguished nobleman who now presided over that country, who was so good a soldier, would never sanction the continuance of a body which was more efficient to provoke rebellion than suppress disorder. He believed it would be better for all parties if they were dismissed and disbanded.

Petition laid on the Table.

Sir *Richard Musgrave* moved, that this Petition be printed. In doing this, he must be permitted to make a few observations upon the remarks of the hon. member for Dundalk. He had not aspersed the character of a clergyman; he had merely observed, that he was said to be a pious gentleman, and perhaps was reading his Bible while the Yeomanry were shooting his parishioners. Surely the hon. Member was not the proper person to complain of strong language, when he so frequently employed it himself. That hon. Member appeared as the nominal Representative of the 14,000 Catholic inhabitants of the town of Dundalk, and yet he had not hesitated to present a petition, in which Catholics were termed idolaters, and were said to be pointed out in Scripture as doomed to perdition. He earnestly hoped, as the petition proceeded from the friends of those who fell on that unhappy occasion, that the House would not reject it, because the strong sentiments it contained were not agreeable to the delicate ears of certain hon. Gentlemen.

Mr. *Stanley* said, that, in his opinion, the petition ought not to be printed. He had already thrown out a suggestion to the same effect; but, as many hon. Members appeared to wish this should be done, if the matter were pressed to a division, he would not oppose it further.

Mr. *Cresset Pelham* had very strong objections to the petition being printed, as it referred to a subject which he believed was in a course of judicial investigation.

Sir *George Warrender* declared, that it was his intention to oppose the printing of the petition. He had, on a former evening, when a petition was presented by the hon. member for Dundalk, taken the same course; in each instance his motives were the same. He objected to printing such petitions, because it was the duty of that House, and of every Gentleman in it, to do all he could to establish the welfare and tranquillity of Ireland; and, in pursuing that course, to set his face against the promulgation of any sentiments, coming from whatever party they might, which had a tendency, not to conciliate and soften, but to inflame and exasperate, those angry feelings which at present unhappily existed.

Mr. *O'Connell* entreated those Gentlemen who were hostile to the petition, not to divide the House upon the Motion for printing it. If they knew the feverish and agitated state of the public mind in Ireland, they would not take such a step. If they refused to print that petition, the suffering people, who sought for redress, would be driven to despair. Instead of three or four petitions, which were now preparing, a thousand petitions would be forthcoming—a thousand public meetings would be held on this subject. Let hon. Gentlemen reflect on the strong language which was held by Mr. *Boyce*, and other respectable Protestants, in the county of Wexford, with respect to the conduct of the Yeomanry, and learn from it what that conduct was. He was always anxious to make the people of Ireland turn their eyes towards that House, and look to it for justice and protection; but how could he expect that they would do so, if their well-founded complaints were treated in this manner?

Sir *George Murray* said, that, if the House divided, he should certainly vote against printing the petition. He had always endeavoured to view with an impartial eye, the two parties which had so long divided Ireland; greatly did he deplore and regret the excesses which were committed, and gladly would he contribute, by every means in his power, to prevent them. The manner in which the Romans governed their provinces, had been beautifully described by *Tacitus*, in his life of *Agricola*. The historian said, “*Ceterum animorum provinciæ prudens, simulque doctus per aliena experimenta, parum profici armis, si, injuriæ sequeren-*

tur, causas bellorum statuit excidere.” This ought at all times to have been the policy of England towards Ireland. But it had not been so. In many instances, the policy pursued with respect to that country, had been unjust and oppressive. Insubordination, dissension, and bloodshed, were frequently the consequence; but, instead of looking to the causes of those disturbances—instead of directing a strict inquiry into the reason which gave rise to discontent and dissatisfaction—the general system pursued by England to Ireland, under such circumstances, had been, to increase the oppression, and to extend the injustice; and he did not confine these remarks wholly to former circumstances; but to a recent measure introduced into that House, to show the same system was continued; he alluded to the Irish Arms Bill—a measure which he considered unjust and tyrannical. He lamented that it had been introduced, and it gave him pleasure, that the representations of the hon. member for Kerry had been successful in causing it to be abandoned. If it were even abandoned from weakness, still he rejoiced in the event. He objected to the printing of this petition, because it contained what he believed to be calumnies against the Yeomanry, many of whom were very respectable persons. He could not consent to the promulgation of a petition which set forth, that the Yeomanry “were actuated by sentiments of bitter and inveterate hostility to the Roman Catholics, whom they on all occasions treated with insult, in order that they might, by provoking, find pretexts to murder them;” because he believed these remarks were calumnious and untrue. He had known the services of the Yeomanry in the year 1798, and on many occasions since, and he believed many intelligent and respectable persons belonged to the corps. Statements of this irritating nature ought not to be sent forth.

Lord *Althorp* said, that the words in which the subject of the petition was conveyed to the House, as well as the nature of the petition itself, placed the Government in a difficult position. It was, perhaps, true, that the printing of the petition would be likely to increase irritating feelings among some classes of people in Ireland, and it certainly ought to be the wish of every Member of that House, to do what he could to soothe the feelings of

the different parties there. If they were to print the petition, they would be the means of giving publication to the sentence which they had just heard read; and if they were to refuse to print the petition, they should be irritating the feelings of the people, already enough excited by the affair at Newtownbarry. Seeing the difficulty by which they were met on either hand, he should certainly wish to avoid taking any decisive measure. He should, therefore, suggest to the hon. Gentleman, the propriety of withdrawing his Motion. If he were obliged to give his vote on the question of printing this petition or not, he should take what he considered at best but as a balance of evils. After the petition had been presented—after it had been received by the House, and ordered to lie on the Table, he must say, that he felt very unwilling to decide, that it should not be printed; but still he thought he should be right in saying, that there would be a less chance of creating irritation in deciding that it should not, than in saying that it should be printed; and if, therefore, the question was put to the vote, he should certainly oppose the printing; but he must repeat, that he should regret the necessity of giving a vote on the subject.

Lord *Duncannon* felt himself in a situation of some difficulty. He regretted very much, that he should be obliged to differ from his noble friend; but, knowing as he did, the state of Ireland, and the feeling on this subject, and believing, too, that the people might not be able to understand the distinction between the refusal to print the petition, and the rejection of the petition itself, he should certainly vote in favour of the Motion.

Mr. *Hunt* said, that here was a petition, stating that seventeen persons had been killed, and twenty-three wounded, by the Yeomanry, and the petitioners called this massacre, or murder. Now, in the time of Castlereagh [*“Oh, oh!”*]. He was not surprised that the mention of Castlereagh's name induced hon. Members to call out *“Oh, oh.”* Ten years ago, a petition had been presented, charging certain Yeomanry with the same crime, and the humane and generous Castlereagh did not resist the printing of that petition, because he knew that it would allow a vent to exasperated feeling. He hoped that the present Ministry would not be less liberal than Sidmouth and Castlereagh.

Lord *Althorp* did not object to the printing of the petition because it cast imputations upon any particular persons, but because it said, that the whole body of the Yeomanry took an opportunity of murdering the people of Ireland.

Mr. *Sheil* said, the question was, whether the House would irritate a class of Yeomanry, or offend the people of Ireland? Who were the authorities on one side, and on the other? First, there was the hon. Baronet, the member for Waterford, a man of high character, and a Gentleman whose opinion was of importance. Opposed to him was the right hon. Secretary for Ireland, a Gentleman of first-rate parliamentary reputation, but who could not possibly be equal to the hon. Baronet, in his knowledge of the feelings of the Irish people. Then came the member for Dundalk—he gave utterance to that hon. Member's name—he thought it would not be necessary to add a comment. Then came the hon. members for Donegall and Enniskillen; and lastly, there was the noble Lord, the member for the county of Kilkenny—a Gentleman who, if not actually a part of the Government, was so linked with it, as to be considered a portion of the Government. What did he say? Why, that the petition ought to be printed—that the Government should, in fact, learn how to steer the vessel of the State in a different course, and raise their eye to a better and more fixed star, than they had hitherto taken as their guide. Under these circumstances, where was the choice of authority? Was it not greater in favour of printing the petition, than against it? He asked the question of the Government, and he put it as a single Irish Member—who had coincided with them? Was there one of all their usual supporters, who joined with them in thinking, that this petition ought not to be printed? The Gentlemen on the other side of the House, their opponents, supported their present view. He warned the Government, however, not to be induced to accept their alliance. What, would the Government select them in preference to its friends? He warned them not to do so—he urged them to reply to their new allies, *“Your praise is censure, and your censure praise.”* Their new supporters would only embrace them, to hug them to death. He called on them in the name of Ireland, and of the whole Irish people, not to be afraid of

offending the Yeomanry, for they were enrolled together in bands, that were in no danger of separating. Let them not fear to offend the Yeomanry; but with respect to the Irish people, he would only repeat, that there were 8,000,000 of agitated and strongly exasperated men. On these men, the greatest blessing had been lately conferred, and he called on the Ministers, not to mar the effects of that blessing by their conduct at this moment.

Mr. *Briscoe* thought, that before the House could come to a proper vote on this subject, the petition ought to be read. They had heard what would be the consequence of refusing to print the petition, and he thought they had heard enough to induce them to pause before they determined on rejecting the Motion. The impression on his mind, from all he heard, was, that the conduct of the Yeomanry was unjustifiable. It appeared that this corps was regularly drawn up with prepared arms, and in their front was an unarmed body of persons; without the Riot Act having been read, and contrary to the orders of their Officer, while the people were retiring they fired, and killed and wounded nearly fifty persons. None of the men who had committed this atrocious act had been punished, and the sorrowing relatives of the victims felt strongly, and necessarily, therefore, expressed themselves strongly, when they found that they could obtain no justice against the perpetrators of this murderous outrage. He suggested that the petition should be read at the Table, that every Member might be made fully aware of its contents.

Mr. *James E. Gordon* rose and was, received with marks of disapprobation which lasted for several seconds. "I can," said the hon. Member "await the pleasure of those who are thus interrupting me, but I will be heard. If I am trespassing on the House, the fault does not rest with me. I rise to tell the hon. member for Louth, that he shall not, by a sneer—by a rhetorical artifice—hold my conduct up to the contempt and laughter of the House. I tell the hon. member for Louth, and I will act up to my declaration, that he never shall, with impunity, express by innuendo, and without stating his charge, any thing personally offensive to me. It may be quite convenient for the hon. Member to conclude or stop short with a sneer when alluding to me, but I tell him that such conduct shall not pass without

the censure and rebuke it deserves. The hon. member for Louth has, I say, acted in an unparliamentary manner, and his language is not that adopted in the society of gentlemen, either expressed or implied.

The *Speaker* called on the hon. Member to explain his last sentence.

Mr. *James E. Gordon* asked, what portion of it?

The *Speaker* said, the hon. Member had alluded to the conduct of the hon. member for Louth, as being unparliamentary, and he had also spoken of language used by that hon. Member as unfit for the society of gentlemen. He had alluded to an innuendo, and also to the silence, or stopping short, of that hon. Member at a particular point. Now the hon. Member might have construed that innuendo, or that stopping short, in a way to satisfy himself, though the House might not be aware of its correctness.

Mr. *James E. Gordon*: My understanding and construction of the case is this;—The hon. member for Louth said—"It is sufficient to mention the name of the hon. member for Dundalk,—comment is unnecessary." Now I could be at no loss to construe this into a something, which I have no hesitation in saying is not usual in the phraseology adopted amongst gentlemen.

Sir *Robert Peel* regretted the importance, the undue importance, which had been given to the printing of this petition. He regretted, too, the mode in which the hon. member for Louth had thought fit to address the House. When he recollected the speech which that hon. Member had made on the question of Reform, and the desire he then expressed (and no doubt very sincerely), that all distinctions founded upon religious differences should be for ever abolished, it was with pain that he heard the hon. Member arrogate to one particular class in Ireland the name of the Irish nation, to the exclusion of that other, and that important, though less numerous class, the Protestants of Ireland. He had before opposed the printing of a petition which cast reflections upon his Catholic fellow-subjects, and on the same ground he should now concur with those who determined to refuse the printing of this petition, which cast indiscriminate and groundless reflections on a large body of the Irish people. The petition stated, that the Yeomanry fired upon the people, not only without orders,

but in defiance of directions from their officers: that was not borne out by the facts that appeared in the investigation of the charge in a Court of justice. After a full investigation, the charge of murder was dismissed. The case might again come forward for judicial investigation, and he thought, therefore, the House could not sanction the printing of the petition. To him it appeared wholly impossible, that hon. Gentlemen could believe the charges brought forward against the Yeomanry. Did the noble Lord (the member for Meath), who had three Yeomanry corps in his county, of whose conduct he had spoken in the highest terms of praise—did he desire to give currency to such charges as were contained in this petition? It was hardly possible to believe that he could entertain such a wish. On these grounds, therefore, and on the ground that legal proceedings were either still pending, or were now likely to be commenced, with respect to the matter which was the subject of this petition, he should oppose the Motion for printing it.

Mr. *Sheil*, in explanation, said, that the right hon. Baronet, with much courtesy, had alluded to a speech of his, expressive of his wish for the abolition of all differences founded upon religious distinctions, and had accused him of having, in the present instance, departed from the precept he then laid down. The right hon. Baronet was mistaken in making this charge; for he (Mr. *Sheil*) well knew the difference between the people of the North of Ireland and a particular class of Irish Yeomanry, and he was most anxious to make a distinction between them. Now that he was upon his legs, he wished to say something in the way of explanation to another hon. Member. He had never intended to say anything that could give offence to the hon. member for Dundalk, and he was most anxious to remove the impression of offence from the mind of that hon. Member. The pause in the middle of the sentence of which the hon. Member complained, was made for the purpose of preserving himself from saying that which might, perhaps, have been offensive. He would now state what that was. It was this—that in his judgment, a Gentleman who, since he had been in Parliament, had evinced feelings so strong on this subject, showing no unsoundness of heart, but a proneness to a particular class of opinions, had, by so doing, taken

away from his opinions the value of authority upon Irish questions. He must now observe, that it was a matter of astonishment to him, that a Gentleman who was so strenuous in Christian Orthodoxy should permit such a slight matter so to have ruffled his temper. If, however, he had inflicted a wound on the hon. Member's feelings, he was anxious to say, that he had done so unintentionally, and he regretted it.

Mr. *James E. Gordon* begged to assure the hon. member for Louth, that his explanation had conveyed to him a feeling of entire satisfaction. He was one of those who was always disposed to entertain the highest respect for persons who conscientiously differed from him in opinion. He should be the last man to find fault with difference of opinion, but he had thought that the insinuation of the hon. and learned Member was intended to dip below that. It gave him much pleasure to find that he was mistaken.

Lord *Killeen*, as he had been pointedly alluded to by the right hon. Baronet, the member for Tamworth, must beg, that the House would permit him to trespass on its attention for a few minutes. He had certainly stated, that in the county of Meath there were three corps of Yeomanry, composed of most respectable persons, but he wholly denied the inference the hon. Baronet drew from that statement, viz. that he (Lord *Killeen*) could not vote for the printing of a petition which cast a stigma upon all the Yeomanry of Ireland. He certainly intended to vote for the printing of the petition, without, however, adopting all the language it contained. The wording was much too general, but as it emanated from a general county meeting, he thought on that account it ought not to be rejected. The House, he acknowledged, was placed in some difficulty with regard to it, but he thought that the printing of the petition would not add much to the publicity which it would obtain by the discussion that had already taken place.

Mr. *James Grattan* said, that the House ought by no means to reject the petition in consequence of the informality of the expressions in which it was couched. If such a rule of rejection were established, scarcely a petition from Ireland would ever be admissible. The House was not bound to adopt as its own the sentiments and feelings of any petitioners.

Mr. *Daniel W. Harvey* wished to know, before he gave his vote on this subject, whether proceedings relative to this affair were still pending; or whether it was still intended to bring this matter to a legal inquiry? As he was answered upon that question, he should give his vote for or against the printing of the petition. It was said, that printing this petition would calm the public mind in Ireland; but if judicial proceedings upon the case involved were instituted, or were to be instituted, he should object to the Motion; for to calm the public mind at such a sacrifice, by tainting the stream of justice, would be utterly unworthy of that House. The laws should be held sacred, their course should be unimpeded, and if that were not the case, justice would become a victim to the slavish tyranny of public opinion. No man living had kindlier feelings towards Ireland than he had; but he must say, that some of the Irish Members bore too keenly upon the present Government. He firmly believed, that the present Government were anxious to heal the wounds and to redress the wrongs of that hitherto misgoverned and ill-fated country; but the Members should remember, that the cure could not be effected in a single day or by a single statute. He hoped to hear from some responsible member of the Government, that this dreadful transaction was undergoing or would undergo, a strict investigation. If such was the fact, if a legal inquiry was in progress, he appealed to the House whether it would be proper to give circulation to an *ex parte* statement.

Mr. *Stanley* rose, merely for the purpose of directly answering the question of the hon. member for Colchester. Bills had been sent up to the Grand Jury for murder, and all of them had been ignored. When these bills for murder were ignored, the persons who acted for the relatives of the parties, refused to send up bills for manslaughter to the Grand Jury. The persons, however, who acted for the Crown, very properly thought, that it was their duty not to let the matter rest so, and they therefore sent up bills for manslaughter. All these bills, except one, were ignored; and when the trial of the person against whom this one bill had been found, came on, none of the witnesses were in attendance. The Crown, however, intended to proceed with this trial at the next assizes, and, besides this one person, some other men had

been held to bail, and would also be proceeded against at the next assizes. The legal proceedings, therefore, which had arisen out of the unfortunate affair mentioned in the petition could not be said to be concluded; and it should also be recollected, that the relatives of the parties might, if they pleased, prefer bills before another Grand Jury. While upon this subject, he thought he might, without any violation of confidence, read a passage from a letter which he had received a day or two ago from Lord Anglesey. The passage ran thus—"I have directed a letter to be written to the Wexford Magistrates, the sense of which is to condemn the calling out of the Yeomanry upon the late occasion, and accounting for no opinion being given, or measures taken, upon the matter, on the ground that it is still the subject of legal investigation." In conclusion, he would only express a hope, that the hon. Baronet would not, under all the circumstances of the case, press his Motion to a division.

Mr. *O'Connell* said, that it was by his advice that the agent of the relatives of the parties had acted. They had declined to prosecute further, and there was, in fact, therefore, no legal proceedings pending on the subject. He hoped that the hon. Baronet would press his Motion to a division, in order that the people of Ireland might see, that they had, at least, some friends in that House.

The *Attorney General* said, that the people of Ireland had, and they ought to feel it, not only some friends in that House, but a great many friends. Indeed, he thought he might safely say, that there was not a single Member of that House, who was not the sincere and warm-hearted friend of Ireland. He could not help appealing to all who were subjected to the affliction of listening to such discussions as these, whether it was just or wise, or even prudent, to sanction the notion that the peace of Ireland was to depend upon an Irish petition being printed or not. If excitement and agitation prevailed in Ireland to so great an extent as to produce the effects which were described as likely to flow from not printing this petition, let those who were so well acquainted with that excitement and with that agitation, explain to their mistaken fellow-countrymen, that it was not out of disrespect or disregard to them, but merely in conformity with the usages of the House,

that the petition, though brought up and read, and ordered to lie on the Table, was not allowed to be printed; or, if the Gentlemen did not choose to give this explanation to their fellow-countrymen, let them, at least, abstain from language which was an encouragement of agitation, and a premium for discontent. He greatly regretted that the hon. and learned member for Louth (Mr. Sheil) should have put this question to the Government in the manner in which he had put it. Let him tell the hon. and learned Member, that the Government could not with propriety have any other feeling on such a question, than to preserve a composed course; and that to say to a Government, "This side votes for you generally, and that side never gives you a vote," was not the tone in which any Government ought to be addressed, any more than such language contained principles on which any honest Ministers could permit themselves to act. He could not persuade himself, that that House could be brought to commit an act of injustice, through apprehension of the consequences which might result from the performance of their duty—consequences, which those who denounced them, had the best means of preventing.

Mr. *Hume* thought it was monstrous to assert, that, because the House received the petition, they adopted the terms in which it was couched. He had to tell the House, that seventeen fellow-subjects of his had been put to death without the forms of the law. Whatever language others might use upon the subject, he would call the act an act of massacre; aye, an act of murder. After the unfortunate and unavailable appeal to the authorities of Ireland, where the proceedings could not have been fair, since those who committed this atrocious outrage escaped punishment, what had the people to do, but to appeal to that House? He called upon the House not to refuse the petition because of a few unmeasured expressions. He objected to the adoption of any conduct towards Ireland calculated to wound the feelings of the people; and he hoped the House would not say to Ireland, "We reject your petition, because you have not addressed us in language to which we are accustomed." It was justice, mere justice, that Ireland required; and the petition before the House asked for nothing else, and should certainly not want his support.

Mr. *Crampton* repeated the statement

which Mr. Stanley had made, with regard to the legal proceedings standing over till the next assizes, and, on that ground, he should vote against the petition being printed. If the petition were printed, it would be considered that the House adopted its contents; and this would be finding parties guilty before they were tried. And on what evidence would the House do this? Why, upon the evidence of the petitioners, who, residing in Waterford, could have no personal knowledge of the facts of an affair which had taken place in Wexford. He had no doubt, that the printing or the not printing of this petition would be equally made a ground for exciting discontent in Ireland; but he was sure, that the printing of the petition would be an act of injustice.

The House divided on the Motion that the petition be printed: Ayes 76: Noes 238—Majority 162.

List of the AYES.

Adam, Admiral	Killeen, Lord
Bainbridge, E.	Labouchere, H.
Blackney, W.	Lambert, H.
Blamire, W.	Lambert, J.
Bodkin, J.	Langton, G.
Bouverie, P.	Leader, N.
Boyle, J.	Lushington, Dr.
Briscoe, J. I.	McNamara, W.
Brougham, W.	Marshall, W.
Brown, J.	Mullins, F.
Brownlow, C.	Newport, Sir J.
Bulwer, H. L.	O'Connell, D.
Burke, Sir J.	O'Connor, Don
Callaghan, D.	O'Ferrall, R.
Chapman, M.	O'Grady, S.
Davies, Colonel	Paget, T.
Dawson, A.	Pendarvis, E.
Dering, Sir E.	Penryn, L.
Doyle, Sir J. M.	Power, R.
Duncannon, Viscount	Protheroe, E.
Ellis, W.	Ruthven, E.
Evans, Colonel	Sanford, E. A.
Evans, W.	Sheil, R. L.
Ewart, W.	Stewart, Lord J.
Ferguson, C.	Strutt, E.
Fitzgibbon, Hon. R.	Thicknesse, R.
French, A.	Torrans, R.
Gillon, W. D.	Vernon, G.
Gisborne, T.	Vincent, Sir F.
Gordon, R.	Walker, C.
Grattan, J.	Warburton, H.
Heron, Sir R.	Watson, Hon. R.
Hoskins, K.	White, H.
Host, Sir J. W.	Wilks, J.
Howard, P. H.	Wood, John
Hunt, E.	Wyse, T.
James, W.	
Johnson, A.	
Kemp, T.	
Kennedy, T.	

TELLERS.

Hume, J.
Musgrave, Sir R.

BELGIC NEGOTIATIONS.] Viscount *Palmerston* : I wish to know, whether the hon. Baronet, whose motion with regard to Belgium stands for this evening, would have any objection to postpone it, after I shall state the circumstances which I am about to state to the House. Accounts have been received this day, that orders have been sent from the Hague to the Dutch troops, to retire from the Belgic territory ; and as negotiations are about to be recommenced, I do hope that the hon. Baronet will see, that the bringing forward of his motion, under such circumstances, could not in any way conduce to the public advantage, while the discussion to which it would lead, might produce serious mischief. I trust that the hon. Baronet, after hearing this statement, will perceive the propriety of his not pressing his motion, which stands for this evening.

Sir *Richard Vyvyan* : Before I consent to postpone my motion, I wish to put a question to the noble Lord. I beg to ask him, whether he understands, that, in the event of the Dutch troops retiring from Belgium, the French troops are also to retire from the Belgic territory ?

Viscount *Palmerston* : In reply to the question of the hon. Baronet, I beg to state that which I have already stated on a former occasion—namely, that such an assurance has been given by the French government.

Sir *Richard Vyvyan* : Though I gave notice of this motion several days ago, and though, having already once postponed it at the request of the noble Lord, I am rather reluctant to defer bringing it forward on this occasion, yet, after the statement which has been made by the noble Lord, that the negotiations are about to be recommenced, and after his assurance that accounts have been received, that the king of the Netherlands has withdrawn his troops from Belgium, so that there is no chance of our being engaged in conflict with him at present, I am not unwilling to postpone my motion which stands for this evening. I shall postpone it until we know, whether the French government will act up to the assurance to which my noble friend has alluded, and whether it will redeem the pledge which has been given to my noble friend, as well as to the ministers at Paris, namely, that in the event of the Dutch troops retiring from Belgium, the troops which had been ordered to advance by the

French government, would be at once withdrawn from that territory. Aware of the feelings which at present exist in France, I am ready to admit, that it might be inexpedient to discuss this motion just now. I am anxious, however, to bring it on within a week, as we shall then know whether the French troops have been withdrawn or not. I therefore consent to postpone my motion for a given period, namely to this day week, as we have a right to expect to hear, within that time, that the French troops have been withdrawn from Belgium.

Lord *Stormont* : I cannot say that postponing this motion altogether meets my approbation. I had given a previous notice on the subject to which the motion of my hon. friend, that was to come on this evening, referred ; but I at once gave way to my hon. friend, when he gave notice of his motion on the subject, feeling that the affair to which I was desirous to draw the attention of the House could be fully gone into in the discussion on that motion. As, however, my hon. friend has now postponed his motion for another week, and as I think that this is a matter of too great urgency to be delayed so long, I beg leave to give notice, that I shall, to-morrow, move for the production of certain papers relating to Belgium.

Mr. *Croker* : If it had not been for the notice of motion which had been given by the hon. Baronet in the first instance, I should have felt it my duty to have given notice of a motion in reference to a question of urgent and pressing necessity. I thought that, in the discussion to-night on the motion of the hon. Baronet, that question could be brought before the House. As, however, the hon. Baronet has postponed his motion, on the ground of public convenience, and in consideration of the existing state of things, I beg to give notice, that I shall bring forward a part of the subject of Belgium before the House. Indeed, so urgent and so pressing do I consider the necessity for bringing this matter under the notice of the House, that it is with great reluctance that I postpone it even for a single day. Before I bring it forward, I wish to ask my noble friend, at what time he or the Conference became acquainted with the letter from the minister of foreign affairs in Holland, dated the 2nd of August ?

Viscount *Palmerston* : That letter was addressed to the ministers of the five

Powers. It was placed in my hands on Wednesday week, at twelve o'clock, by the Plenipotentiary just arrived from the Hague, and I delivered it to the Conference on Thursday, at the earliest possible period.

Mr. Croker : I apprehend that my noble friend has fallen into a mistake with regard to the letter to which my question refers—I apprehend, that he speaks of the letter dated the 1st of August, but my question relates to the letter of the 2nd of August, which specially refers to that of the 1st.

Viscount Palmerston : What is the nature of the letter to which my right hon. friend wishes to draw my attention ?

Mr. Croker : The letter to which I allude is to be found in the ordinary channels of public information. It appears to be a circular letter from the minister of foreign affairs for Holland, to all the ambassadors of all the Powers ; and it begins by referring to the letter of the 1st of August, to which the noble Lord has alluded. The letter of which I speak has appeared in a public journal of great authority and extensive circulation. It has been published in *The Times* of this morning, and that journal, in one of its leading articles, has made observations upon it. I have been obliged to enter into this explanation, to show that, in the question which I have put to the noble Lord, I do not allude to the letter of the 1st, but to the letter of the 2nd of August.

Viscount Palmerston : I cannot answer my hon. friend's question at this moment positively as to the time that that letter was communicated to me. It was read to me and one of my noble friends in a very hurried manner by the minister of the Netherlands, subsequent to the meeting of the Conference, either on Friday or Saturday last, as well as I recollect.

Mr. Croker : I hope the noble Lord will be able to state to-morrow, when I shall bring forward my motion, whether it was on Friday or Saturday that that letter was for the first time communicated to him. I shall certainly bring forward my motion then, as the matter, I repeat, is one of urgent necessity.

Sir Richard Vyvyan : My noble friend, the member for Woodstock, has said, that he gave way to me on this subject, and he has now announced his intention to bring forward a motion on the subject to-morrow night. I have postponed my Motion in

consequence of the existing state of things, and I would beg of my noble friend to wait until Thursday next. I shall be ready to resign the Motion then into the hands of my noble friend ; but I do hope that he will not bring the question forward until that day.

Lord Stormont : In my opinion, this is a case which does not admit of delay, and I must, therefore, persevere in my intention of bringing it forward to-morrow night.

The Marquis of Chandos : I wish to ask the noble Lord, whether his Majesty's Government has not obtained information that the French troops have crossed the Belgic frontier, and have taken possession of Mons ?

Viscount Palmerston : I have reason to know, that the French troops have crossed the Belgic Frontier, and that they have arrived at Mons.

The Marquis of Chandos : I beg to ask the noble Lord, whether the French troops have taken military possession of the citadel or the town of Mons ?

Viscount Palmerston : Surely the House must perceive the very great inconvenience which would result from my being obliged to answer questions of this description. Any information which the House of Commons has a right to expect, I shall be always ready to communicate on the fitting occasion ; but though it is in the power of any hon. Member to call for that information, I must say that it is too much for an hon. Member to come down here, and to ask me for the news of the day. Whatever information the House of Commons may require, in order to enable it to form an opinion of the policy of his Majesty's Government, I shall be always ready to give ; but if Gentlemen expect, that his Majesty's Ministers are here to serve no purposes but those of a newspaper, I can assure them that they will find themselves greatly disappointed.

The Marquis of Chandos : I am sorry the noble Lord has thought it consistent with his duty to refuse to answer the question which I put to him. I felt it my duty to put that question to a Minister of the Crown ; I only exercised a right which I possess, as a Member of this House, in putting that question, and I must say, that I have found, on the part of his Majesty's Ministers, a disposition to withhold from this House, and from the country, that information which they have a right to expect.

Sir *John Wrottesley* : I rise to order. I cannot allow the noble Marquis to cast such unmerited imputations on his Majesty's Ministers.

The *Speaker*.—There being no motion before the House, and as the noble Marquis has not stated that it is his intention to conclude with a motion, there is no doubt that he is out of order in the observations which he has been making.

Viscount *Palmerston*.—There shall be no misunderstanding on the point to which the noble Marquis has referred. In answer to his former question, I stated that the French troops had crossed the frontiers, and had arrived at Mons. That is the only information in my possession on the subject.

Lord *Eliot*.—I wish to ask the noble Lord whether, subsequent to a communication which the king of Belgium received from this country, that Monarch did not send a communication to the French government, requesting that the advance of the French troops into Belgium should not take place, and that the answer of the French government was, that the resolution having been taken, his request could not be complied with, and that the troops must advance?

Viscount *Palmerston*.—Surely this question furnishes another instance of the inconvenience of which I have already complained, with regard to putting questions of this description. It appears that I am not merely expected to give the House accurate and detailed information as to every thing which his Majesty's Government has done, but that I am also expected to furnish the House with information as to what has been done by all the other governments in Europe. That does not, I conceive, form any part of the duty which I feel called upon to discharge.

Mr. *Croker*.—The question which I asked of the noble Lord, I put to him because the subject appears to me to be one of urgent necessity, and because it will put him in possession of the object of the motion which, according to my notice, I shall bring forward to-morrow night. That motion I could, in the exercise of an undoubted right, as a Member of this House, bring on to-night, without any notice whatever, but I think it will be more courteous towards the noble Lord to fix it for to-morrow night.

The conversation dropped.

AFFRAY AT BOLTON.] Mr. *Hunt* wished to know, whether any information had been received at the office of the Secretary of State for the Home Department, relative to an affray which had lately taken place at Bolton between the military and the people. He understood, on an investigation into the business before the Magistrates, it appeared to have originated in a fight between two persons. The respectable inhabitants felt great anxiety from the ill-blood which existed between the people and the military. He had understood that an application had been made for the removal of the troops; he wished to ascertain this, and whether any information had been received on the subject?

Mr. *Lamb* said, that accounts of this transaction had been received at the Home Office, and that a full investigation would be made into the subject by the Magistrates, who had been absent when it occurred, at the assizes, but who on their return would be able to inquire into the whole matter. He believed, however, the facts of the case were nearly as they had been represented by the hon. member for Preston, but it had not been thought expedient to remove the troops. They were, however, confined to their barracks, and care had been taken to prevent any further collision between them and the townspeople.

CASE OF SAMUEL STEON.] Mr. *Thomas Duncombe* rose to bring forward the Motion of which he had given notice, relative to the case of Samuel Steon, a prisoner confined in Hertford gaol. He was willing, however, if the House desired, to give way to the Committee on the Reform Bill. He regretted, indeed, being obliged to bring forward his Motion at all, for if the statements made to him were true, the transaction reflected no credit on the way the Shrievalty business was conducted in the county of Hertford. The facts of the case were briefly these: he had received communications that considerable excitement and indignation prevailed at Hertford, in consequence of a reprieve, which had been transmitted to that place by a learned Judge, not having been communicated to a man of the name of Samuel Steon for several days. It had been kept back by the Under Sheriff, and the feelings of an innocent man were much lacerated by the suspense. From the respectable sources whence he had derived

his information, he felt it his duty to lay the case before the noble Lord at the head of the Home Department, who, with the greatest zeal and promptitude, immediately commenced an inquiry. In answer to his application the substance of the High Sheriff's letter had been communicated to him, which stated, that the respite was received by the Under Sheriff on Wednesday the 20th, and was very properly communicated to the prisoner by the Chaplain of the gaol on the following morning, after the chapel service was over. This explanation, if true, would be extremely satisfactory, but he had the authority of the chaplain to say he had not made his communication until Saturday instead of Thursday, so that instead of the High Sheriff's letter allaying the irritation, it had had the contrary effect; and he had been again called upon to require that the case should be more closely investigated. The Reverend Mr. Lloyd (the Chaplain) who was a most honourable and amiable man, proverbial for his kind attentions to unhappy persons in the situation of this condemned man, Samuel Steon, had stated in a communication to him—

Samuel Steon was condemned on Saturday, the 16th of July, and on Wednesday the 20th, in the afternoon, a young man in a gig, on his way from Chelmsford, stopped for a moment, seeing the turnkey of the gaol in the road near the gaol, and said, "I have a respite for Steon, but you will receive it in a few minutes from the office." On the following morning, Thursday, what had passed the previous evening was communicated to me; and immediately after chapel I told Steon, but begged of him not to be too sanguine about it, because, till it was officially announced, I could not be certain of the truth of it. Mr. Wilson was at the time very ill in bed; I however saw him, and inquired whether it was not usual for the Under Sheriff to communicate to the gaoler the receipt of a respite or reprieve immediately. His answer was, yes; and expressed great surprise that no communication had been made of the circumstance on the previous evening or the morning. Thursday and Friday passed off without any further notice (than that of the man in the gig) being given to the gaoler or turnkey from the Sheriff's-office. On Saturday morning, finding things in the same state, I told Steon after chapel, that as nothing favourable had transpired respecting the respite, he must consider himself as liable to suffer death, and that I should administer the sacrament to him on the Tuesday, the day previous to that on which he was to be executed, adding, that I still hoped the information given to the turnkey might be true. After chapel this morning (Saturday) I again saw the gaoler,

and told him what I had done, when he acquainted me that Mr. Longmore, the Under Sheriff's partner, had been there, and complained of a paragraph, alluding to the respite, in the *Herts Mercury*, implying it was untrue. Upon which Mr. Wilson answered, "You know, Sir, it is true, for we have not at this moment received any official notice of it."

After this interview had taken place, Mr. Lloyd communicated to the prisoner, that his reprieve was certain, but this was not until Saturday. This, therefore, was a direct contradiction, the truth of which Mr. Lloyd was ready to verify on oath, to the Sheriff's statement. Was it to be endured that a man accidentally passing in a gig, was to be the means of communicating to the authorities of the gaol the information on which a man's life depended? Had the circumstances not been alluded to in a provincial paper, this man must have remained in all the agonies of suspense up to the hour of execution. He submitted, that he had made out a case for inquiry. In his opinion, the High Sheriff should have made an example of the Under Sheriff, for his criminal negligence; and both the High and the Under Sheriff should be taught that the feelings of guilty persons, and much less of innocent men in confinement, should not be trifled with. He was bound to add, that Mr. Lloyd's statements were contradicted flatly by the affidavits of the Under Sheriff. The hon. Member concluded by moving for "copies of all correspondence that has taken place between the Secretary of State for the Home Department, the High Sheriff of the county of Hertford, the Chaplain of the county gaol, or any other person, relative to the cause of the delay of the respite or general reprieve of Samuel Steon, who was ordered for execution on the 26th of July last."

Sir Henry Hardinge seconded the Motion, but with views very contrary to those of the hon. member for Hertford. He was convinced, that the papers moved for—viz. the correspondence of the Sheriff with the Home Department, and the depositions of the Under Sheriff and gaoler—would clear up any doubts as to the propriety of the conduct of the Under Sheriff. The circumstances of the case were these:—Steon had been convicted upon what appeared to be very conclusive evidence; but, in consequence of representations which were made by the presiding Judge to the High Sheriff, that officer immediately resolved to investigate

the matter more closely ; and, with the assistance of the Under Sheriff, he instituted an inquiry, by which circumstances favourable to the convict were brought to light ; and, having had depositions taken, the Under Sheriff forwarded them, at his own expense, by his confidential clerk, to Mr. Justice Gaselee, who was then at Chelmsford, presiding at the Assizes. Having laid the depositions before the Judge, Mr. Nicholson's clerk obtained a respite, with which he immediately hastened back. But, instead of going at once to the house of his master (the Under Sheriff), he stopped at the gaol upon his way, from feelings of humanity, in order to make known to the unfortunate prisoner what had occurred in his favour. The gaoler, Mr. Wilson, was, at the time, confined to bed by illness, and could not be seen, but the clerk requested the under-gaoler to acquaint Mr. Wilson, as soon as possible, that the respite had been obtained. In calling at the gaol, on his way home, to give that information, the clerk had certainly taken what would appear to be the best means of speedily relieving the anxiety of the unfortunate convict. He could not leave the respite for the inspection of the gaoler. He was obliged to take it to the Under Sheriff, to whom, and not to the gaoler, it was necessary, as his authority for staying the execution. Now, in all that, the clerk had acted humanely, and efficiently, as was proved by the depositions upon oath, which he desired, as much as the hon. member for Hertford, should be laid before the House. So far from having shown any want of humanity, the Sheriff and his clerk had both evinced very great humanity, and had undertaken, at much trouble and expense, to procure the respite in behalf of the convict. It was on the morning of Wednesday, that Mr. Nicholson's clerk left word at the gaol, that the respite had arrived, and the turnkey having informed the gaoler of it on the next morning, the latter immediately communicated the intelligence to Steon. He had read over all the depositions, and there seemed to be the clearest proof, that Steon had been relieved from anxiety on Thursday morning. If there was any doubt in Steon's mind, it had been raised by Mr. Lloyd, the Chaplain. It had been stated, that the turnkey said, the Under-Sheriff's clerk did not know him, and that the only authority for the arrival of the

respite was the word of a stranger passing by the gaol in a gig. Now, if Mr. Lloyd had any doubt of the correctness of the information, that very charitable and benevolent person might have taken the trouble to send to the Under Sheriff to ascertain the fact, instead of harassing the mind of the unfortunate man, whom he urged to take the Sacrament, that he might be prepared to die, on account of the uncertainty of the respite.

Mr. Lamb said, he regretted exceedingly that his hon. friend had thought it necessary to bring forward the present Motion. He did not see what parliamentary proceeding could be founded upon the papers for which he had moved. He (Mr. Lamb) had a great respect for the Chaplain of Hertford gaol, on whose representation the charge against the Under Sheriff and the gaoler had been founded. He was a most benevolent man, and exceedingly zealous in his attentions to the prisoners under his care. He admitted, that the Under Sheriff had not communicated to the gaoler with sufficient care, or with an attention to the formality which, in such an important part of his official duty, he ought to have observed, the important intelligence which he had to communicate. But still there were many circumstances which told strongly in his favour. He had taken great pains to examine the case of the convict, and to forward the result of his inquiry to the Judge. The clerk, too, had shown a wish to relieve the anxiety of the prisoner, by calling at the gaol, instead of going directly to Mr. Nicholson's office, as he might have done if he felt no concern for the man's feelings. But all that, it must be admitted, was not enough. The Under Sheriff himself ought to have gone to the gaol, and, in the formal manner which so serious a duty required, have shown the respite to the gaoler ; or, at least, he ought to have sent to the gaol an official copy of the respite. He believed, however, that the most important part of the charge was unfounded. He meant that which applied to the anxiety of the prisoner. The respite arrived on Wednesday ; it was communicated to him on Thursday ; and, according to his own affidavit, which he then held in his hand, he never had the least doubt of the fact until the Saturday morning, when the speedy arrival of the Under Sheriff relieved him from his fears. He was sorry, that the Motion had been

made; but, as his hon. friend had introduced the subject, and as there had been conflicting statements, he should not oppose the Motion. From the affidavits which he had read, it appeared, that Steon had received very speedy information that the respite had arrived in Hertford.

Mr. *Currie* had spoken to Mr. Wilson, the gaoler, and he thought that there was great discrepancy between the statements made to him by that person, and those which were said to have been made in the depositions. There could be no doubt that the Under Sheriff had not given notice, with due regularity, of the arrival of the respite. The Under Sheriff had great influence over the gaoler.

Mr. *Hunt* hoped, that the hon. member for Hertford would persevere in his Motion. It ought to be ascertained whether or not the Under Sheriff had, by his negligence, kept an unfortunate man, under sentence of death, in suspense as to his fate for several days. He had before now had occasion to make complaints against Gaolers and Under Sheriffs; and he knew how such persons supported each other by depositions and affidavits. On one occasion, when he preferred to that House a complaint against an Under Sheriff and a gaoler, and when the former had notice of it, he came over to the gaol, from his residence at thirty miles' distance, to consult with the gaoler. They then made affidavits in support of each other. But those affidavits were, upon investigation, found to be wholly false. He should, therefore, not be willing to take the testimony of the gaoler and Under Sheriff of Hertford, in opposition to that of the rev. Chaplain, who seemed to have taken a humane view of the convict's case.

Sir *Henry Hardinge* said, the documents proved, that the turnkey received the information from the Under Sheriff's clerk, and then told the gaoler, who was in bed, that a respite had arrived. The gaoler admits this took place on the Wednesday evening; this important fact was placed beyond doubt, by his having communicated it to Mr. Lloyd, who apprised the prisoner of the fact on Thursday morning. It might be a point of official etiquette to send a copy of the respite to the gaoler, but it was the duty of the Under Sheriff to keep the original in his own office. He was confident no blame could be attributed to that officer, although,

if he had understood the hon. member for Hertford (Mr. Currie) correctly, Mr. Wilson had made a communication to him opposed to his declaration on oath.

Mr. *Currie* said, he had made no such statement.

Lord *Howick* protested against prolonging the debate, after his hon. friend (Mr. Lamb) had said, that he would not oppose the Motion.

Mr. *Goulburn* thought, that when serious allegations had been made against the Under Sheriff, the observations of his right hon. and gallant friend were called for and necessary.

Mr. *Thomas Duncombe* said, that the gaoler, Wilson, was so far from thinking that he had received on Wednesday an official or certain notice of the arrival of the respite, that, having heard nothing more on the subject than what had been said to the turnkey by the gentleman in the gig, he sent on Monday (five days afterwards) to the Under Sheriff, for instructions respecting the building of the scaffold, preparatory to the execution of Steon, which had been ordered to take place on the next morning (Tuesday). He had brought forward the question at the suggestion of several respectable gentlemen of the county of Hertford, with the view of preventing the recurrence of a like irregularity, and trusting that what had taken place would ensure that object, he had no objection to withdraw the Motion, if his hon. friend desired it.

Sir *Henry Hardinge* would consent to the withdrawing of the Motion which he had seconded, if it was understood that the conduct of Mr. Nicholson, the Under Sheriff, had been cleared from the imputations which had been cast upon it.

Motion withdrawn.

[BUSINESS OF THE HOUSE.] Lord Althorp gave notice, that he would, on Friday, move, that the House sit on Saturday to discuss the Reform Bill.

Mr. *Goulburn* protested against such a step. He did not see why they should be called upon to sit on Saturday on the Reform Bill, to the neglect of other business; but his chief objection was, that it was the only day in the week which Members could properly set apart for private business. He considered it would be better to discuss the Reform Bill on the Mondays, than to oblige the House to meet on Saturdays.

Lord *Althorp* said, that Monday was set apart for other business. His proposition was, that the House should sit on Saturday till six, and commence at noon.

Sir *Edward Sugden* thought, that after the forbearance of the House on many topics, the noble Lord ought not to press his motion for sitting on Saturdays. He had intended to make a motion relating to the Court of Chancery, but had delayed it, because he would not interfere with the Reform measure.

Lord *Althorp* admitted the forbearance of many Members of the opposite side of the House, but he did not think his proposal too much, as probably they would not have occasion to sit often on Saturdays.

Mr. *C. W. Wynn* thought it would be better to continue the Reform debate on Monday, than set apart Saturday for it.

Lord *Althorp* said, his right hon. friend, the Chief Secretary for Ireland, had a Motion relative to the affairs of Ireland on Monday next.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—TWENTY-FIRST DAY.] On the Motion of Lord *Althorp*, the House went into Committee upon the Reform of Parliament (England) Bill.

The Chairman read the eleventh Clause, as follows, viz. “And be it enacted, that each of the counties enumerated in schedule D, to this Act annexed, shall be divided into two divisions in manner hereafter directed; and that in all future Parliaments there shall be four Knights of the Shire instead of two, to serve for each of the said Counties; that is to say, two Knights for each division of the said Counties, and that such Knights shall be chosen in the same manner, and by the same classes and description of voters; and in respect of the same several rights of voting, as if each of the said divisions were a separate County.”

Mr. *Goulburn* asked the noble Lord opposite. (Lord *John Russell*), in what manner he intended to proceed with the discussion upon the places named in the Schedule, should the Committee agree to the principle of the Clause; and in what manner it was intended to discuss the rule by which the proceedings of the Commissioners were to be guided?

Lord *John Russell* replied, that the Commissioners, in making a division,

would have to take into account both the amount of population and the number of square miles in one part and the other of the county, so as to render the two divisions as nearly equal as possible in extent and in population. But the Committee must be aware, that in many parts of the country there already existed by custom recognized boundaries, separating one part of a county from another, with which it would not be expedient to interfere; and, therefore, it would not be advisable to bind the Commissioners by any strict and invariable rule. However, it was intended to introduce into the Bill a Clause instructing the Commissioners to take carefully into consideration both the population and the extent of the two divisions.

Sir *Edward Sugden* said, if the noble Lord had such a Clause prepared, it would be a great convenience to the Committee to hear it read.

Lord *Althorp* said, his noble friend had stated the principle of the Clause, but if it was read now, they would, in fact, discuss that Clause out of its proper place.

Mr. *Goulburn* said, the noble Lord had stated it was proposed to divide counties according to their extent and population; but that would be found difficult to accomplish. For instance, in the case of a county with a considerable town situated in one part of it, and having in the other part no town, the population would necessarily be condensed in a limited space, and the whole arrangement would therefore be upset.

Lord *John Russell* repeated, that the Commissioners should take into account both the extent and the population of counties. For instance, there were, as the right hon. Gentleman said, in some counties a very large population in one part, and a very small one in another of the same size. Now if the Commissioners were to look only to the forming of two districts of equal population, there would be in one of the divisions only a very small part of the county. It should, on the contrary, be their object to make the divisions as nearly equal as possible, both in extent and numbers, as in the case of the union with Scotland, where the number of Members allotted to that country was in proportion to its taxation and population as compared to those of England.

Mr. *C. W. Wynn* observed, that in the most populous parts of the counties, the

principal part of the population would be abstracted from the county constituency in consequence of having votes for the Representatives of the great towns; as in Warwickshire, where a great part of the present county constituency would be cut off in consequence of a Member having been given to Birmingham. He looked upon that circumstance as raising a great difficulty in the way of the division which the noble Lord proposed.

Mr. *Evelyn Denison* said, it would be utterly impossible properly to divide the manufacturing counties without trespassing upon the limits the noble Lord said were not to be passed over.

Sir *Edward Sugden* thought, that the Committee could not possibly form a deliberate opinion respecting the expediency of dividing any one county in the Schedule, unless some rule for the division was first laid down. No opinion could be formed of the propriety of dividing a county, until the borough population were first taken out of it. For instance, Merthyr Tydvil was added to Cardiff, from which it was twenty-five miles distant. How, therefore, could the county of Glamorgan be divided until it was ascertained what number of voters would be abstracted from the whole county. How could the noble Lord call on the Committee to deal with twenty-five counties in the gross, when he was unable to explain in what way he should deal with any one particular county? It might be very well to say, that it should be left to the Commissioners. But would the county Members be satisfied to leave the division to these gentlemen? The noble Lord seemed to be particularly anxious not to tie down the Commissioners by any strict or inflexible rule. To be sure he said, that their award was to be submitted to the King, and not to be valid until it received his approbation. If the King should in any case not approve of the proceeding of the Commissioners, what was then to be done? Was there to be no division? The Committee ought to be in possession of the facts of every case in this Schedule, as well as of every case in the former Schedules. The Bill had been so long in Committee, that his Majesty's Ministers ought certainly to have put themselves in possession of all the facts respecting each county to be divided. If the collection of those facts would have been attended with expense, that certainly ought to be in-

curred, to enable them to state at once to the Committee the divisions which they proposed to make of each county. The noble Lord ought to be aware that there were counties in which—the voters in the towns having been taken away—there was scarcely anything left for a constituency, even without dividing them. He would mention as an instance the county of Durham, if he might do so without being supposed to mean anything uncivil. In making distinctions between those parts of counties which had large towns in them, a new difficulty would be occasioned by the circumstance that some large towns were to have Representatives, the voters in them being abstracted from the county constituency; whilst some other towns, being unrepresented themselves, must continue to be reckoned part of the county population, and would have so much influence as to be enabled to domineer over the whole division which may have been shorn of a great part of its constituency to supply the old or new boroughs. This clause was full of evil. As the Ministers had gone so far into popular Representation, he thought that they ought to pause before they entirely destroyed the influence of the aristocracy over the elections for counties, which this clause would most probably effect. At present, except occasionally, and by some accident, no man but one that had some property and standing in a county, was elected as a Representative for it; but if the counties were divided, and most of their constituency taken to add to that of boroughs, the counties would be reduced to mere districts for which any stranger might be returned. Here would be a new class of representatives entering into competition with the aristocracy, who, on the other hand, were not likely to be returned for any of the newly-created boroughs, which would, in all human probability, select men of a lower class to represent them. He would maintain, that the proposed division of counties would give them a reduced constituency, for in most of those counties affected by the division, towns had been enfranchised in such a manner as to include a large portion of the old county electors. He should most decidedly object to the powers of the proposed Commissioners being final, and without any revision on the part of Parliament. He would put it to the House, whether such a division, so much under the direction of

Commissioners, was not imparting to the Executive Government a power which no Administration ought to possess? It might be very well if the Commissioners were directed to obtain information, and turn their attention to the most eligible mode of division, and having done that, to make a report, leaving the House to decide ultimately upon each individual case proposed. He should not object to men of integrity examining these matters, and making a report on them; but he, for one, never would consent to allow any authority, short of that of Parliament, being final on such an important point. In fact, the House could never form a correct judgment respecting any of the counties divided, unless the whole matter were entered into in detail by those appointed to examine the counties, and it was to him, he confessed, a matter of the greatest surprise, that the noble Lord who introduced the present measure did not regulate all these matters in detail, so as to bring them at once before the House, and explain to it what would be the operation of every clause in the Bill.

The question having been put,

Mr. *Hughes Hughes* said, he rose to propose the amendment of which he had given notice. He should leave it to hon. Members to state the details, as regarded those counties in which each was interested. By merely looking at a map, it was clear that some counties might be so divided as to render the division merely nominal, and to create a close or proprietary division of counties. This would be as bad as nomination boroughs; and for his part, he should much prefer retaining twenty-five of the places in schedule A, to giving two more Members each to twenty-five counties, upon the condition of dividing them. The consequence and rank of county Representatives must be thus greatly reduced; and as to a division by Commissioners, he objected to it as unconstitutional. The clause provided, that after the report of the Commissioners, it should be lawful for his Majesty—not imperative on him—to issue his proclamation accordingly, so that the Government would be free to act upon the Commissioners' report or not, as they pleased. One reason assigned for this division was, that where there were four Members returned by the whole county, a compromise usually took place. This was answered by what happened at the last election in

the city of London, in Yorkshire, and in Weymouth. Was there any compromise in these cases? No. Each of these three places sent four Members, all of the same principles. He did not see, that the division was more necessary in these twenty-five counties, than it was in the seven counties which were to have three Members each, and which were not to be divided. It was not clear to him, how the expense of county elections could be reduced by it, for, according to the Bill, there might be fifteen polling-places, which must add greatly to the expense. What inconvenience could there be, in each elector voting for four Members in place of two? The booths should be erected at the expense of the county. He greatly feared, that to prevent the evils of a division of counties, it would eventually become necessary to have recourse to the Ballot. The hon. Member concluded, by proposing an amendment on the clause, the effect of which would be, to give the right of returning four Members to the electors of the county at large, without any division of it. He gave notice, that he certainly meant to take the sense of the Committee on his amendment.

Lord *Althorp* would offer to the amendment of the hon. Member every opposition in his power, because he conceived that it would, if adopted, effect a very important alteration in the general operation of the whole Bill. The objections of the hon. Member to the clause as it stood, seemed to him of very little weight. He could not see how that clause could bestow such an undue influence upon the great landed proprietor in the division, as would render the Ballot necessary as a protection to the less wealthy electors, nor could he apprehend, on what ground the hon. Member conceived that these divisions would be practically so many close boroughs, in the hands of the rich landed proprietors. No doubt the influence of property would tell in the proposed divisions, particularly so far as it was in the hands of some one or two large landholders—that is, these individuals would have a much greater chance, indeed certainty, of being returned for the divisions in which their property lay, than they could have of being returned for the whole county at large; but he was sure, that that influence could not be so preponderating, as to warrant the apprehensions of the hon. Gentleman. How the

hon. Gentleman could suppose the clause now under discussion would lead to a similar mode of nomination in the county Representation, to that which existed in the borough nomination, he was at a loss to conceive. The patron of the borough could elect at his bidding whomsoever he pleased. But, however influential a person might be in a county, he could not have that power. Without doubt, there would always be an influence exercised by a person possessing property, and this was neither to be wondered at nor objected to, but that influence would depend upon his popularity in some degree. The arrangement, besides, he was pretty certain, would preclude those partial compromises which took place between the large proprietors, and the independent interest, in the larger counties. At present, it was too much the case, that one Member was returned by the individual holding the largest property in the county, and the other by the independent interest. But the objection of the hon. Member, that the clause would tend to increase the aristocratic influence in the Representation of counties, was, in the eyes of the framers of the Bill, no objection at all. On the contrary, they felt the necessity, while they were adding to the democratic share of the Representation, by extending the franchise generally, and adding to the Members of the large towns, of preserving the balance of the aristocratic share, by increasing the influence of the great landed proprietors in the counties. In saying this, he did not mean that it was an object with Ministers, that the great landed proprietors' influence should entirely prevail in the proposed divisions, for he was convinced, that some degree of popular influence would be necessary to the candidate. All he meant was, that it was expedient that the aristocracy should preserve their due influence in the Representation of that House. The clause would effect this by, in a great degree, confining the Representation of the county divisions to the gentlemen of property resident in them, and, therefore, best acquainted with their wants and interests. He considered it an evil of the present system, that mere popularity should be the means of returning Members for counties, oftentimes, even, of returning strangers, to the exclusion of gentlemen of retiring habits, holding large property in the county, and well qualified to repre-

sent its interests; and he knew not how that evil could be entirely got rid of, so long as the freeholders of a wide surface of country were distracted in their choice of the candidates proposed by the districts best acquainted with their respective merits—a distraction that almost inevitably ends in their choosing some popular individual, whose chief merit is, that his name is best known to all. The hon. Member had stated as an objection, that the expenses of the elections would not be diminished by the mode proposed. Did the hon. Member forget the expense of appointing agents, of canvassing, which each candidate had to incur, and which must, of necessity, be considerably enhanced, when the whole of a county was to be canvassed, instead of a part? He was fully persuaded, that the expenses of elections would be so much smaller, that many men of great respectability, of good family, and proper qualifications, would be elected, but who did not possess the money necessary to procure their return under the old system. The objection of the hon. Gentleman, as to the power which the clause gave the Government, appeared to him to be totally without foundation. It was not intended, that the King's sanction should be optional, but imperative, and the clause, as he read it, made it imperative on the King to sanction the report. If the hon. Member's proposition should be acted on, the result would be, in counties returning, say four Members, that at least three of them would be persons of this popular description, while the fourth would only come in on a kind of compromise. For these reasons, he would offer to the hon. Member's amendment all the opposition in his power—not that he was prepared to say, that if it should be carried, that, therefore, the Bill should be abandoned, but that it involved a principle which would materially affect the Bill, which, as a whole, had been adopted by that House, and approved of by the country. He was aware that there existed a difference of opinion among the friends of the Bill, as to the merits of this county-division clause; but he still thought, that the Reform majority would not be acting up to their duty to the public, if, by way of compromise between hostile premises, they should, in the present case, vote for the amendment. Ministers owed it to the public to carry the Clause as it stood, if possible,

Mr. *Gore Langton* would oppose the amendment to the utmost of his power.

Mr. *Davies Gilbert* said, that at the commencement of his life, no one had ever been more hostile than he was to Parliamentary Reform. His opinions had, however, somewhat changed; and, although he did not go the whole way with Ministers in the present measure, yet he did agree with them to a certain extent. To certain clauses of the Bill he was most friendly. No one felt more than he did, the necessity of additional county Members, to counteract democratic influence. The augmentation of county Members, was essential for that purpose; and, if that were to be the case, the counties must be divided, and two Members given to each division. It was absurd to suppose, that this division would create an effect similar to that of nomination boroughs; for he asked, whether these divisions would not all be equal to, and many larger than, several of the smaller counties? He was favourable to the principles, that county Representation should be in the hands of country gentlemen, and that seven or eight gentlemen of large property, should have all the influence in the division of a county, that was to be derived from popularity and property. Again, the expense of contests would be diminished; for, if there were any one person out of four candidates for a whole county, objectionable, the whole four would be involved in the expense of the contest, and the effect would be similar to that which was known by having what was called a third man in a borough. There was only one alteration which he wished to see made, as to the county elections, and that respected the 40s. freeholders, whom he wished to see in some degree assimilated to the freeholders of Ireland. A 40s. freehold of inheritance he would not disturb; but a freehold for life, or what was more absurd, for the life of another, or an annuitant of 40s., he should wish to see put an end to, at least put on the same footing, and subject to the same qualifications, as copyholders in counties were to be put by this Bill.

Mr. *Cripps* thought this was one of the most important parts of the Bill, and, if it could be so arranged as to avoid influence and partiality, would be unquestionably beneficial. He understood there was a difference of opinion among the supporters of the Bill, on this clause. The

noble Lord had hinted, that the rejection of this clause would destroy the effect of the Bill; he thought these fears were not altogether groundless. There were difficulties, no doubt; to overcome, in the division but, looking at the whole of the proposed alterations, there would be less than to leave the counties as they were. He could not conceal from himself, that to divide them was to bring them nearer to a level with boroughs, but he must deny there was any fear whatever of their becoming like close boroughs. If they looked to the other side of the question, it must be admitted, that the agricultural, as well as the mercantile interest, ought to be attended to. He would ask the hon. members for Yorkshire, were not the four Members at present who represented that county, influenced chiefly by the commercial interest? and as that had principally returned four Members, it would most likely have weight enough to return the two additional ones to be granted. The danger, he considered, would be greater to the agricultural interest, to have Members elected for the whole county, than for each of the Ridings to return two separately. The great towns being enfranchised, also, would lessen their influence in the county elections. If the division, then, could be properly arranged, he thought they would be advantageous to the agricultural interest, and the counties might be justly and fairly represented under them. Although there might be impediments in the way, yet he considered these could be surmounted. It must also be remembered, that the expense of elections would be materially decreased, by the number of agents and voters required being much less. This, of course, could not apply to those counties where there were to be three Members, further than a greater number would have to bear the necessary expenses among them. Taking all these circumstances into consideration, he was in favour of the clause as it stood, and should support it.

Mr. *Vernon* said, as he had hitherto cautiously abstained from interfering in the debates upon this Bill, already too much protracted, he trusted the House would pardon him if, on this occasion, when the interests of those whom he had the honour to represent were more immediately concerned, he endeavoured to explain, as briefly as possible, his reasons for the vote which he was about to give. He

was the more anxious to do so, because he was aware that many of the most strenuous reformers, many of the most zealous supporters of this Bill, and not a few, he was sorry to say, even among his own constituents, were decidedly averse from the division of counties. He would not enter into all the objections which had been urged against that measure, he would content himself with saying, that he did not participate in the fears of those who thought that undue influence would thereby be created, nor did he see any thing in it which militated against the great principles upon which the Bill had been framed. If to the Bill in its former stages he had been able to give his most uncompromising, yet he must be allowed to add, his most conscientious support—if he was prepared to continue to give it the same support in its progress through the Committee—he must confess, that he did not see any thing in this clause which should induce him to deviate from that course in this instance. He was aware that the noble Earl now at the head of his Majesty's Government, in the Reform Bill which he introduced into this House in the year 1798, proposed to divide the counties without increasing the number of their Representatives. To that proposition he could not have agreed; but now that all the counties enumerated in schedule G were to have four Members, he did think it better, on many accounts, that those counties should be divided, and he did so for these reasons—first, because, although he concurred with the hon. member for Leicestershire (Mr. Paget), in approving of large constituent bodies, he did think, that that principle might be carried too far—so far indeed as to defeat its own object. He also thought, that an elector would be likely to give his two votes much more independently, much more conscientiously, and much more from principle, than he would do if he had the privilege of voting for four Members. Secondly, he approved of the division of counties, because it would allow of a more frequent intercourse between a Member and his constituents; it would allow them to become acquainted with his opinions, and, by enabling them to place confidence in his political integrity, do away in a great measure with the necessity of pledges, which had been so much complained of lately, which he admitted in a general way to be undesirable, but which he believed to have been

indispensable at the last election. Another reason was, that the expense of canvassing counties would, by the proposed clause, be very much diminished. Under the present system, the electors were frequently compelled to choose, not the best nor the wisest—not the most efficient—not the person whom they thought the most fitting to represent them—but him who had the longest purse. He begged to thank the House for the indulgent manner in which they had listened to him. He had endeavoured to state some of the reasons for the vote which he should give on this question; and he assured them, that he should not give that vote with the less satisfaction, when he thought that this clause would tend to allay the fears of many who had opposed the Bill from conscientious, though, as he conceived, from mistaken motives.

Sir *Robert Peel* said, that were he to consider this proposition abstractedly, and without reference to the Bill, he should have the greatest objection to it. He should be sorry to see the immunities of the ancient divisions of England come to an end. When he heard the noble Lord, the member for Yorkshire, on a former occasion congratulate himself with respect to the county of York, and say, “we are in this proud situation—we are separate from every county in England, for true it is, we are to have six Members, but we are to have two Members for each of our old Ridings, and we are to preserve those divisions that have existed since the days of Alfred; and, therefore, I object to the proposition of giving York ten Members.” When he (Sir Robert Peel) heard that from the noble Lord, he thought it a just and natural feeling. It was one he did not wish to destroy, nor could he be surprised that any honourable man should feel an objection to a division of the limits and the loss of the unity of his county. It was quite consistent that men should maintain those local feelings with a general feeling. God forbid they should be ever destroyed, and, therefore, abstractedly from this Bill, which he looked upon but as a precedent for a departmental division of the country, this proposition should have had his decided opposition. He thought it unjust to that display of public spirit, which every man wished to see. And let it not be said, because there were now two nominal divisions in Sussex, that this would have

no effect ; for, after counties were divided into separate portions, their common feeling would be extinguished—they would be like Holland and Belgium, no longer the same. This might be derided as prejudice, but he, with the member for Yorkshire, must feel it was more. Let them look at the consequences. Let them take the county of Stafford for instance. When this division took place, he who belonged to No. 1 Stafford, would have a different interest from him who belonged to No. 2 Stafford ; they would no longer have the same identity of feelings, as natives of the same county, which had before existed among them. It was true, that all this might be denounced as so much prejudice ; so it was, perhaps ; but, at the same time, those feelings existed, and it was a part of those feelings which had always made Englishmen so ready to defend the Constitution of the country. Another provision of the Bill, which he most seriously lamented was, that the division of the counties was to be effected by Commissioners, and not by the House of Commons itself. He saw no reason why the House should not undertake the task of dividing the counties. They had details enough before them. Why could not a Committee of the House consider and report the facts, and the House make the final decision ? He saw no reason why the House was not perfectly competent to decide on this point ; and if it were so, on what constitutional grounds was the important function devolved on another authority, without appeal to that House, of deciding what should be the future Representation of England ? It was a monstrous dereliction of duty, that that House—the Representatives of the people—should devolve to other and extrinsic hands the office of deciding what should be the Representation of twenty-five populous counties. The noble Lord had said, there would not be an appeal even to the Crown itself, which would be barred from reviewing the decisions of these Commissioners, however unjust. If the Bill was to pass into a law, they were bound to use their best endeavours to make it perfect as far as it went ; and he, therefore, thought, that they ought to make the most strenuous opposition to the appointment of Commissioners for the performance of a duty which really belonged to the House ; and if it was said, that the House was too numerous a body to take this matter

into consideration, his answer was, that in that case a Committee of the House might be appointed, whose capacity to perform the task would be unexceptionable, and whose decision, as emanating from an authorised portion of the House, could not be called in question by the House itself. Another great objection which he had to this part of the Bill was, that the House was called upon to give at once its consent to an indefinite division of all the principal counties of England, without so much as knowing whether the division was to run from north to south, or from east to west ; so that, in voting for the additional Members to counties, they would be, in fact, voting for something, the effect of which they could not by any possibility foresee. As he had already said, to the division of the counties, taking it abstractedly, he had the greatest objection ; but when he viewed the subject with reference to this Bill, at the same time taking into consideration the disfranchisement that had been inflicted on the borough system, by means of schedules A and B, he thought, that the adoption of the division of the counties was a judicious step. He had to consider in what manner he could best give that countervailing influence, which should be consistent with such a measure ; and he was bound to say, that he thought there were solid arguments for the division of the counties, as the means of maintaining the wrecks of aristocratical influence. He was glad to hear from the noble Lord, that it was not intended entirely to destroy aristocratical representation ; and he thought, that the small remains of that representation might be better maintained by dividing the counties, than by continuing them as they were at present. Those who thought the Bill did not go far enough, might very consistently be hostile to such a plan ; but he avowed that his reason for supporting it was, because he agreed with the noble Lord, that the popular influence was greatly increased by this Bill, and he thought that the division of the counties would give a kind of counterpoise. He repeated, that he never would vote for the introduction of clauses, which would render the Bill inefficient, with a view of defeating it. Still he thought great improvements might be made. It was a great object with him to dispense with the necessity of employing Commissioners, and to leave their duties to Par-

liament itself. It would be a great advantage, under this point of view, if there could be an arrangement, after constituting the electoral districts of a town, to prevent any proprietor living in the town from exercising an influence in the county elections. He did not see the reason for excluding a 40s. freeholder from the right of voting for a town, and giving him a right of voting for the county. Why not, after determining the boundaries of a new town, say that all 40s. freeholders in the town, and 10l. freeholders, should exercise the right of voting in the district, and not in the county, instead of telling them "You cannot vote for the district, though you may for the county." If the 40s. freeholders were allowed to exercise their elective franchise only within the new electoral districts, the necessity of riding Commissioners might be dispensed with, and it would be scarcely necessary to look for 10l. freeholders within the limits of a town. There was one other clause to which he had an objection. The Bill gave to freeholders in counties of cities, for the first time, the right of voting for counties. In these counties of cities, the splitting of freeholds, and other practices, had led to the greatest abuses. He would call the noble Lord's attention to the county of the city of Lichfield, where freeholders had a right to vote, and the noble Lord knew how many annuitants had been created in violation of the spirit of the law. The Bill would give to these annuitants of Lichfield, amounting to 400 or 500, a new right of voting for the county. It would be better to confine them within the county of the city, than to let them into the county. Much difficulty arose from the mode in which England was to be divided, which would throw considerable discretion into the hands of the Commissioners; and it was extraordinary, that after this House had struggled so hard against the interference of another branch of the Legislature with their elections, they should devolve so great a power of interference on gentlemen of whom the House could know nothing. Seeing the destruction of aristocratic influence which was to take place, from the mode in which the franchise was extended in towns, he thought that the safest course to take would be, to adopt that division of counties by which gentlemen of landed property would have their fair share of influence in the Representation of counties. He owned that he

had not seen any practical good effect from allowing Yorkshire to send four Members for the whole county, rather than for its separate divisions; and he thought, that that county would have consulted its fair influence just as much, or more in returning one of its own landed gentry, rather than the highly respectable individual who had since become High Chancellor of England. Under these circumstances, he would vote in favour of the proposition of Ministers, for the division of counties.

Mr. *Gisborne* was surprised at the right hon. Gentleman's arguments against the proposed elective qualification for boroughs. He was himself one of the Lichfield annuitants, and he would only ask, what would the effect be of allowing these 40s. freeholders to vote in boroughs? Simply this, that any Gentleman who had 100l. a year in a borough could make fifty annuitants for 40s., and so secure an influence, whereas, by their being thrown into the county, their power would be merged in the mass.

Sir *Robert Peel* said, they should be as much on their guard against fictitious votes in counties as in counties of towns. But on what principle were the counties to be inundated with these voters from towns? The spirit of the law was decidedly evaded by the creation of annuitants in this way. He had no objection whatever to the *bona fide* 40s. freeholders being left as they were, but he would certainly confine the new voters, and the annuitants, to the counties of towns in which they happened to be placed.

Sir *John Wrottesley* said, that if the annuitants of Lichfield were confined to the county of the city, the freedom of the election would be completely curtailed, and a person of large property, by dividing it into annuities, might acquire such influence as to convert the place into a close borough. The spirit of the law might be against the practice of creating annuities, but the letter was in its favour, and if the votes so created were to be limited to the counties of towns, these places must become in a short time little better than nomination boroughs. A man who might create 400 or 500 votes, by such a process in a county, would not possess material influence among a body of 8,000 or 10,000 electors; but in a town, where the number was comparatively small, the temptation to create them, would be so

great as most likely to lead to the practice being largely adopted.

Colonel *Davies* was anxious to bring the Committee back to the real question before it. The right hon. Gentleman had, no doubt, assigned an inconsistent reason for his vote, for, after having declaimed against the appointment of Commissioners, he said he would vote for the clause which constituted them, concluding, to be sure, with a hope that the Government would alter its intentions. Another reason for his vote was, that this division of counties would be against democratic influence, which, he said, was unduly exercised, because there were forty or fifty additional Members given to great towns. But did he forget, that for the sixty-three additional county Members, Gentlemen of ancient lineage, and all as much aristocrats as the first Peer of the realm, would be the persons most likely to be returned? Influence of property would no doubt prevail, but in only one instance that he was aware of, had it returned both Members for one county. He should vote for the motion of the hon. Member behind him; and he would, when they came to the eighteenth clause, acting upon the suggestion of the right hon. Baronet, move that the freeholders of boroughs should vote for boroughs, and not for counties.

Mr. *Hodges* said, that the part of the Bill which he approved of least was the division of the counties; but the feeling in favour of the whole Bill was so unanimous through the country, that he had been induced to alter his opinion. He was not so much afraid of aristocratic influence as some other persons seemed to be; and although he believed he should offend many of his constituents, yet, as the country demanded the whole Bill, he was bound to preserve the consistency of the measure, and to vote for the division of counties. He hoped, however, that in the future clauses some provision would be made for the further extension of voting in counties, and he should therefore vote for the clause as it stood.

Mr. *C. W. Wynn* said, he would support the proposition for a division of counties. He had formerly, upon the question of giving four Members to York, intimated his opinion, that the Members should be given to the East and West Ridings, and he was convinced that the principle would be equally beneficial in the other great counties of England. All ex-

perience told them that candidates for whole counties had found the expense immense whether they were popular or unpopular. Nothing could prevent this, for if a man depended on his popularity alone, and neglected canvassing, he would most probably lose his election. Now, this very necessity prevented gentlemen of moderate fortunes from offering themselves, for even if they were returned in the first instance without much expense, yet, on a subsequent election, a principle of honour, and a wish to stand by their friends, might involve them in a contest which could not be carried on but at the ruin of their fortunes: for these reasons he supported the division, and approved of distributing the franchise which was to be taken away from the small boroughs, to increasing the county Members. But although he might approve the division abstractedly, he objected to the method of arranging the divisions through the means of Commissioners, whose report was to be approved by the King in Council, and not to be laid before Parliament. He had no doubt, that the Commissioners to be appointed would be the best qualified persons that could be found, but in a matter requiring such extensive and minute local knowledge of all the principal counties of England, no small number of gentlemen could be expected to have, or be able to obtain, a sufficient knowledge. Serious errors, therefore, would be committed, which might be corrected if the returns were laid before the House, by which the local knowledge of each individual member might be used to perfect the whole. If this were not done they might expect petitions without number, and endless discussions, he therefore hoped the Government would abandon this system of delegation, and leave the boundaries to be arranged by Parliament, who would, he was convinced, pass a bill for that purpose much sooner than the Commissioners could agree on their plan of division. Another point he would beg to suggest to the noble Lord's consideration was, whether it would not be advisable to restrict the power to create franchises by the means of annuities. His right hon. friend seemed to think this practice would be guarded against, by voters being obliged to swear to their qualifications, but this in very many cases of creation, would only give rise to perjury.

Sir *George Murray* saw so much of a democratic principle in the Bill, that he

should be happy to give all the Members in his power to the counties, to counteract it. He objected to the division of the counties, because he wished to avoid taking any step towards recognizing the employment of Commissioners, and because it might lead afterwards to a departmental division of the kingdom; which he thought highly objectionable in any case, and which, in other hands than those of the present Government, might ultimately prove dangerous, and be made still further to operate to an increase of democratic influence. He feared this influence would be further augmented by the additional Representation given to the Metropolitan districts; and, unless some expedient were adopted to counterbalance the influence exercised by a coercive body on the spot where the Representatives of the people meet, over the views and sentiments of their Representatives, he conceived this access to the democratic influence would prove fatal to the Constitution. With these views he agreed to the suggestion, and if he had been present at the time it was discussed it should have had his support, that Yorkshire should have ten Members, among whom there would most likely prevail such a thorough identity of interests and sentiments, as would be sufficient to counteract the proposed increase of Metropolitan Members.

Mr. *Littleton* could by no means believe the division of counties would lead to the adoption of departmental districts. If he had any suspicion of the kind, he would oppose the clause, but he could not imagine it would lead to any such result. He had, therefore, heard the speech of the right hon. Baronet, the member for Tamworth, with great satisfaction, in which he in a great measure withdrew his opposition to this clause, and he must give the same credit to other hon. Gentlemen who took the same views. He believed their opposition to the Bill in general was sincere, and he should be ready to listen to any arguments they could urge against such parts of it as they could not approve. With respect to the clause at present before them, he was the last man to consent to any undue preponderance being given to either the aristocracy or the democracy; but of this he was convinced, that unless the counties were divided, the contests for a seat would be so frequent and expensive, and there would be such a truckling of interests, that no Member would be able to

retain his place unless he made mean and unworthy sacrifices to the sentiments and prejudices of his constituents. No man of honour and character would stand a contested election on such terms. He believed there was no danger, by assenting to the clause now before them, that the progress towards departmental divisions would be facilitated. He was well aware there were many hon. Members who entertained such strong feelings against the Bill, that they would not give their support to any part of it, but as the measure was now, beyond doubt, destined to pass through the House, he would appeal to them whether they should not concede some portion of their opposition, and apply themselves to the improvement of a measure, the success of which was now inevitable. He had no wish to embarrass Government, but as he believed a great source of complaint would be removed, and by its being known who were to be the Commissioners, he recommended an immediate explanation with respect to the persons who, under the provisions of this Bill, were to be appointed to carry this clause into effect. For his own part he was perfectly indifferent as to who were to be appointed to determine the boundaries. He was quite convinced that, whether done by Commissioners or by Parliament, the effect would be the same. He had no doubt the Commissioners would be men of honesty and integrity, and as an individual Member he should be quite content to abide by their decision.

Mr. *Briscoe* regretted, that he felt himself bound to support the Amendment, as he supported every part of the Bill which had come under their consideration; because he thought the original proposition had a tendency to subvert and neutralize much of the advantage conferred by the Bill. How, he would ask, could those who favoured popular Representation vote for a measure which would deprive the middle classes, and men of moderate property, of all their just influence in their counties? This clause would undoubtedly have that effect, by giving to large properties such a preponderating influence in each district, as would tend to convert the divided counties into nomination boroughs. It was calculated to restore and increase those nests of corruption which it was the professed object of the Bill to destroy, and it would go far to put an end to the hope of a full,

fair, and free Representation of the people. They would have under its operation less enjoyment of the elective franchise than they had at present. For these reasons he opposed it, and was determined to vote for the Amendment.

Mr. *Benett* said, that if he regarded the present clause as an integral part of the Bill, he should perhaps be disposed to follow the example of the hon. member for Kent, and for the sake of the safety of the whole measure, vote for this particular part of it. He, however, believed, that the proposed division of counties would be a most unpopular act, and would be attended with other mischievous effects. The general object of the Bill was, to extend the franchise so as to prevent by numbers, those corrupt practices which could only be brought fully to bear on a small body of electors. The division of counties was an exception to this principle, and by lessening the number of constituents, the separate parts of each county would be likely to be influenced by the corrupt practices said to prevail in certain boroughs. The half of some counties would be very little better than nomination boroughs, and the other half would be swamped and overborne by the influence of some large manufacturing town. He thought the Bill would stand on as firm a footing, whether it did or did not contain this clause. The division of counties would destroy the perfect freedom of election, while it was calculated to increase the expenses of elections. He saw no difficulty in giving to every elector four votes. It would ensure the election to the most popular candidate, by this rule, that an individual might ensure one vote, and take one elector to the poll for that purpose; yet the other three votes would be free. He felt quite convinced, that the freedom of election would be better maintained, the influence of powerful individuals be less available, and the respectability of county Representation be better preserved, by maintaining the counties entire. For these reasons he should vote for the amendment.

Sir *Charles Wetherell* said, that he felt no necessity to make any apology for opposing this clause as other Members had just done. He had, from the beginning, opposed every clause of this Bill, and he saw no object to be answered by making any apologetical excuses for the observations which he was about to make. The Bill altogether, as it was first propounded,

was too glaring, too enormous, even for a Whig Government, but his Majesty's Ministers, in the Bill before the House, their second plan of Reform, had committed the authority of cutting up all the counties in the country to a Commission of their own appointment, whose acts were to be irresponsible and without appeal. He objected to this arrangement, because he did not know but that the Commissioners would be guilty of gross partiality, corruption, and all sorts of blunders and mistakes. The power which, by the first plan of Reform, it was proposed to confer upon the Privy Council, in the division of counties, was not half so wild, so dangerous, so irresponsible and jacobinical as the plan now proposed, of confiding that same power to irresponsible, unknown riding Commissioners. There was to be no appeal, no matter what blunders, what partiality, or what corruption might take place. And was this a system under which Englishmen should be compelled to live? Twenty-five counties were proposed to be carved into districts by Commissioners, from whose will and pleasure there was to be no appeal. He agreed with much that had fallen from his right hon. friend, but he could not agree with him as to the propriety of dividing the counties into departmental districts, as this clause proposed to do. It might, perhaps, confer some advantage upon the Aristocracy; but he would not take that advantage at the expense of principle. He would not invade the constitution of Parliament, and the rights of the subject, from a supposition that he might strengthen the power of the Aristocracy. He considered the clause to be injurious, degrading, and improper. In short, he would not take any little bonus at the expense of an irresponsible, an impeccable power upon the part of Commissioners of whom he knew nothing. The Government all through had been deficient in giving any thing like explanation upon any one clause; and as to that now under consideration, it was so utterly at variance with every constitutional principle, that he hoped the House would not entertain it. The division of counties went upon no principle, either as to property, as to space, or as to the payment of taxes; there was nothing in the clause to compel the Commissioners to act by any rule; no standard was fixed for their guidance, nor was there any tribunal to correct their errors

or their corruption. Only let the House see what a deviation they were about to make from their own Standing Orders which had been devised for the protection of property. In cases of bills for canals, docks, or roads, notice was to be previously served upon all the parties interested before their property could be interfered with. A common turnpike-road could not be cut through any county, without notice being given to the inhabitants of the intended undertaking, and maps and plans of its direction being lodged in the Speaker's chamber. Yet it was now proposed to commit to certain persons the power to cut up all the counties, without hearing evidence, and without appeal. What a mockery, what an insult was this to the county constituency of this country. This, indeed, was not an incipient step to reform or revolution, for revolution had already advanced with giant strides. For his own part he felt no necessity to disguise his opinions; he need not muffle his speech any more than many others of his hon. friends; he and they could equally speak out; and he would say again, that this Bill was a decidedly jacobinical Bill. They had already abolished the rights and privileges of boroughs, only, as it would appear, to be the precursors of the abolition of those for counties. But it all tended to forward the progress of revolution. It all tended to a direct jacobinical division of the country. It was a sequel to the measure proposed by the Lord Privy Seal in 1821, for the purpose of apportioning England into departmental divisions. What would be the consequence of adopting the proposition under consideration? There were many hon. Members who now fancied themselves county Members. Would they be so by-and-by? For instance, there would be no hon. member for Wiltshire. He would be split into a member for the north of Wiltshire, and a member for the south of Wiltshire. The noble Lord opposite would not be the member for Northamptonshire. He must be described by a circumlocution, travelling through the names of several little districts. There would be the member for the north of Surrey and the member for the south of Surrey,—the member for the Maidstone division of Kent, and the member for the Canterbury division of Kent. Fifty per cent would be deducted from the present importance and dignity of a county Member. At present

the Member for a county thought himself greatly superior to the Member for a borough. But when a present county Member became only a half-county Member, he, the humble member for Boroughbridge, might stand erect by his side. The proposition was to bring down the independent and dignified county Member to the level of the poor corrupt Member for a borough. This was a change which, in his opinion, was exceedingly unwholesome. And who were the Commissioners to be? Addison had said "that it was impossible to dislike those whom we had never seen, and whom we did not know." He could not be supposed, therefore, to speak from prejudice. But he felt it impossible to consent to intrust these *incogniti* Commissioners with the power of destroying or diminishing, at their pleasure, the influence of the landed interest of the whole country. It was an anomaly in the practice of the Constitution, to which he would oppose all the resistance of which he was capable.

Lord John Russell said, the hon. and learned Gentleman would persuade the House, that nothing but plunder and corruption could come from the Commissioners. Now, he would ask, what would have been the consequence, if they had proceeded in a Committee of that House to make the divisions which were proposed to be made by Commissioners? They would have had all the same reproaches to undergo; for, with the hon. and learned Gentleman's disposition to trace every thing to a desire of plunder and corruption, he would, in all probability, have said, that the Committee was formed of the friends of Government, and they would have been involved in a labyrinth of details of which in the progress of the Bill, the House had already had an example. It was in anticipation of this difficulty, that his Majesty's Government had, in the first instance, placed the matter in the hands of a Committee of the Privy Council, which was now changed to Commissioners. The objections which had been urged were partly to the proposition itself of dividing the counties, and partly to the mode of doing it. As to the mode, although the counties were to be divided by the Commissioners, and although it was intended that they should remain as divided by them, yet there was nothing to prevent Parliament from revising their decision, and to alter the division if

it should not appear the best adapted to the circumstances of any particular county. Now with regard to the proposition itself, he thought that with respect to the influence of the aristocracy, there would be no very great difference between the effects of this proposition and the plan of each county undivided sending four Representatives. Where there was a large property in a county, it was sure to have a share in the Representation, whether there were two Members or four; and although the division might in some places give a greater command to property, yet it would bring a greater variety of interests into the Representation, and small properties would acquire a greater weight than they could possess if the whole county sent four Members. From his experience, his opinion of the freeholders of this country was, that they were very competent to select two suitable candidates, out of three or four, to represent them; but, when the Representatives were to be four, it would be a matter of chance rather than of choice. He considered it a great advantage to the Constitution of that House that its county Members were, for the most part, as it were, permanent Members, because that circumstance imparted a consistency to their measures; but the election of four Members would be much more liable to vacillation and vicissitude than of two. He considered, too, that the division of counties would be a great means of limiting the expense of elections, which was, he thought, most desirable. As to the proposition of the hon. member for Worcester, for admitting freeholders to vote for towns, he thought it would produce an opposite effect to that intended by the hon. Gentleman, and would make nomination boroughs in a very short time.

Colonel *Sibthorp* objected to the nomination of Commissioners by his Majesty's Government, for what appeal could be made against their decision by Members at the opposite side of the House? Why not name the Commissioners if any thing like fair play was intended? He had no delicacy in stating his objections to every clause of the Bill. He objected to the line of argument taken by the hon. member for Stafford, for he thought the old system was the best safeguard to the purity of election. The further this Bill went on, the less, he was sure, would it give satisfaction to the people.

Mr. *O'Connell* said, the people of Eng-

land had shown great good sense in being enamoured of this Bill, inasmuch as it took the nomination of boroughs from aristocrats, who provided for their friends, as Generals, Admirals, and Bishops, at the expense of the public. But while he admitted the consistency of the right hon. member for Tamworth, who had voted against the disfranchisement of rotten boroughs, and now intended to vote for rotten nomination districts, or divisions of counties, he could not follow his example. It would be vain to talk of a popular Representation, if this clause were to stand part of the Bill. They were only labouring night after night in vain if, with one vote, they disfranchised nomination boroughs, and the next vote established nomination districts. This Bill would be but a mockery, and the Government would only "keep the word of promise to the ear," and not to the good sense of the people, if they persevered in this course. This division clause was a complete contradiction to those that preceded it; and of what avail could it be to destroy Boroughbridge if they gave to a large proprietor the Representation of one-half or the quarter of a county? The Tories acted consistently in denying the democratic principle, but he could not say the same of those Members who cherished Reform, and who wished to see the democratic principle in more extensive operation. Every man who was acquainted with history must know, that the most flourishing States were always those in which the democratic principle most prevailed, and the oligarchical aristocracy had the least predominance. It was by the recognition of the democratic principle, that England had become the most powerful and prosperous country in the world. The old oligarchical principle should be put down, or nothing would be done. He did not think that there could be any free election without the Vote by Ballot, although he would not now contend for that; but certainly, in the absence of the Ballot, nothing could ensure a free election but a numerous constituency and the influence of public opinion. In deference to other Reformers, he felt reluctant in stating these opinions; but as he was a thorough and sincere Reformer, he must oppose every species of nomination.

Lord *Milton* would support the proposition for the division of the counties. He was not insensible to the arguments which

had been adduced against the proposition ; but he thought that the hon. member for Kerry had exaggerated the effects which would be produced by this clause ; which could only be attributed to his want of sufficient knowledge of the nature of property in this country. The divisions of counties would, in several instances, give a constituency of 100,000 persons, and even in Cumberland, no less than 78,000. So far, then, what became of the charge of nomination ? The effect of the clause would be the same in this House, whether counties were divided or not. He denied that the divisions of counties would throw the nomination of Members into the hands of the aristocracy. And whatever the power of any knot of individuals might be in cases of public excitement, the aristocracy could do no mischief.

Mr. *Hunt* would not detain the Committee, for it was obvious there was at once a defection in the ranks of Ministers, and a split in the enemy's camp. He concurred with the noble Lord in approving of the division, as the best mode of proceeding under all the circumstances. He thought Government ought not to be left in the lurch on the present occasion, and expressed his belief that to defeat this clause, was to defeat the whole Bill. He could not, however, avoid saying a word upon the inconsistency of the hon. member for Kerry, and others, who knew this clause was in the Bill of last year, which they so strenuously supported, and for which they had so recently declared, shouting aloud for the Bill, the whole Bill, and nothing but the Bill ; and who now, nevertheless, deserted Ministers, and rushed forward to oppose it. He must observe, too, that he had been denounced by the hon. member for Kerry, when he had said this Bill was, in essence, an aristocratic measure ; and yet now the hon. Gentleman asserted the same thing. Touching the appointment of the Commissioners, he had a scheme to propose. It was to call a county meeting, and let the freeholders appoint three honourable men belonging to the county, who knew the localities, and on whom they could depend, to divide the county. In conclusion he stated, that all true Reformers—all who wished to see the Bill carried—ought to support Government on the present occasion, because they had been deserted by many who ought to have adhered to them.

Mr. *Goulburn* said, that the great diffi-

culty in which they were placed arose from the Government having left them in ignorance of the mode in which these divisions were to be effected. Dealing with this proposition in the abstract, and in reference to a measure which the House adopted, he took a balance of the evils, and preferred voting for the division, as being the best calculated to sustain the just influence of property.

Lord *Stanley* said, that he had taken the greatest pains to ascertain the feeling of the county which he had the honour to represent, and he had found but one individual who wished to see that county divided. Under these circumstances, he should make no apology for voting against this part of the Bill.

Mr. *Hughes Hughes* said, that knowing this to be the most unpopular part of the Bill throughout the country, he must persist in pressing his Motion.

Mr. *Cresset Pelham* said, that if this was the last vote he should give, he would say “no” to the proposition for dividing the counties.

Mr. *Blamire* said, that he knew, from his knowledge of the different interests of the county of Cumberland, that that county would be rendered much less independent by being divided as the Bill proposed. Though that county had a small population, it had a large constituency, amounting to above 9,000 ; and he believed that the division would have a most injurious effect upon the freedom of election in that county.

The Committee then divided on the clause—Ayes 241 ; Noes 132—Majority 109.*

House resumed — Committee to sit again the next day.

* No Lists were published of the Ayes and Noes on this division, but the following notice of some who usually oppose the Bill and voted in favour of this clause, and of others who usually support the Bill, but voted against this clause, may convey a little useful information.

Fifteen Members who voted for the clause, but who hitherto have voted generally against the Bill.

Apsley, Lord
Arbuthnot, Colonel
Ashley, Lord
Ashley, Hon. W.
Cholmondely, Lord
Dugdale, W. T.
Eastnor, Lord
Eliot, Lord

Lowther, J.
Mahon, Lord
Praed, M.
Warrender, Sir G.
Villiers, Viscount
Wood, Colonel
Wynn, C. W.

HOUSE OF LORDS,

Friday, August 12, 1831.

MINUTES.] Returns ordered. On the Motion of Lord WYNFORD, the declared value of all British Manufactures Exported to Portugal every year during the last three years, also Exported to France.

Bill committed. Augmentation of Ecclesiastical Benefices.

IRISH MAGISTRACY.] Lord *Teynham* moved for the names and residences of all the Magistrates who had been struck out of the Commission of the Peace in Ireland, during the last four years (causes specified).

Lord *Plunkett* said, it was not his intention to resist the noble Lord's Motion, although he had some doubts as to its expediency. He understood the noble Lord's object was to question the propriety of one of the removals which had not been effected by him (Lord *Plunkett*), but by his learned predecessor (Sir A. Hart). He had inquired very fully into all the circumstances of that case, and they were of such a nature, that he could not recommend the reinstatement of the gentleman in question.

Return ordered.

CASE OF SAMUEL STEON.] The Marquis of *Salisbury* begged leave to ask the

List of twelve Irish Members who usually vote for the Bill, but who voted against this clause.

Blackney, W.	O'Connor, Don
Lambert, J.	Power, R.
Mullins, F.	Ruthven, E. S.
Musgrave, Sir R.	Sheil, R. L.
O'Connell, D.	Walker, C. A.
O'Connell, M.	Wyse, T.

List of thirty-seven English Members who voted against the clause, though they generally vote for the Bill.

Adeane, H. J.	Martin, J.
Bainbridge, E.	Paget, T.
Blamire, W.	Phillips, C. M.
Blake, Sir F.	Robinson, G. R.
Briscoe, J. I.	Ryder, R.
Buxton, F.	Sanford, A.
Evans, Colonel	Stanley, Lord
Davies, Colonel	Throckmorton, R. G.
Dixon, J.	Tomes, J.
Foulkes, Sir W.	Townshend, Lord C.
Guise, Sir B. W.	Tyrrell, C.
Halse, J.	Vincent, Sir F.
Hughes, Colonel	Wilks, J.
Ingilby, Sir W.	Wason, R.
James, W.	Watson, Hon. R.
Knight, R.	Waterpark, Lord
King, E. B.	Webb, Colonel
Lennard, T. B.	Western, C. C.
Langton, G.	

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noble Secretary for the Home Department, whether the affidavits relative to the case of Samuel Steon, which had been sent to the Home Office, were deemed satisfactory, and whether he considered the Under Sheriff of Hertfordshire exonerated from blame on account of his alleged detention of that prisoner's respite. He put this question in consequence of some remarks which had appeared not only in country papers, but also in a great leading newspaper in the metropolis, with which Government, he feared, was but too intimately connected.

Viscount *Melbourne* said, he was somewhat surprised that the noble Marquis should have questioned him on such a matter as this, merely because it happened to have been mentioned in the public prints; but, in reply to his inquiry, he had no objection to state, that he did not attach blame to the High Sheriff of Hertfordshire for not having expedited the respite referred to. The High Sheriff, however, being the responsible person, he knew nothing whatever of the conduct of the High Sheriff's deputy.

The Marquis of *Salisbury* said, he should have acted more regularly had he stated, that this subject had already formed a topic of conversation in another place.

Viscount *Melbourne* said, it was disorderly to bring the matter forward.

The Marquis of *Salisbury* did not consider himself out of order in having asked the question of the noble Viscount.

FRAUDULENT DEBTORS' BILL.] Lord *Wynford* moved the third reading of the Fraudulent Debtors' Bill, and stated, that he had some amendments which he proposed to introduce, in order to obviate the objections of his noble and learned friend (Lord *Plunkett*). It often happened, that when judgment was recovered in this country, the only means by which the creditor could get what the law said he ought to get, was, by the imprisonment of the person of the debtor. This remedy might have been effectual when prisons were not quite so comfortable as at present. But now, when the prisoners had the Rules, it was found that prisons afforded very comfortable lodgings, and the consequence was, that imprisonment was, in many instances, quite inadequate to compel debtors to pay their debts, although they had abundant means of doing so. Al-

though they should have double the amount of their debts in the Funds, or in the hands of third persons, they often preferred remaining in prison, or going abroad, to the payment of their debts. Large properties were thus spent in prison and in foreign countries, which ought to go to pay the debts due to creditors, whose ruin was often the consequence of non-payment. There were in one of the prisons of the metropolis one hundred persons who had the means to pay, and yet chose to remain in prison rather than pay one farthing; and thousands had absconded and gone abroad, to avoid the payment of their debts. He had received many communications, by post, from bankers and others, complaining of this state of the law, and urging him to proceed with his Bill. He had long turned this subject in his mind, and he had consulted other noble and learned Lords, and found, after much reflection and inquiry, that there was, in fact, no remedy for this evil but that of subjecting the parties to the laws of bankruptcy. An amendment of the law of outlawry, or a change in the Insolvent Debtors' Laws, he apprehended would be found wholly insufficient for that purpose. The objection to the operation of the Bankrupt-laws had always been, not that they gave too little, but, on the contrary, that they had the effect of giving too much, protection to debtors, and it was notorious, that no debtors were so well treated, in every respect, as those who had become such under the laws of bankruptcy. The object of this Bill, however, was not to extend the Bankrupt-laws to all descriptions of persons, but only to those, not being traders, who fraudulently refused to pay their debts when they had the power to pay them. It was only applying to them the same law to which the most honorable merchants were subject. And then it ought to be observed, that the bankrupt had some privileges which did not belong to the mere insolvent, for if his bankruptcy was owing to misfortune, and he himself was clear from blame, he had an allowance made to him, and both his person and future property were protected by his certificate. It had been objected, that a debtor of this description might, under this Bill, in case he did not surrender in a given time, be transported as a felon; but that would depend on the discretion of the Lord Chancellor; and a decidedly fraudu-

lent debtor would have no reason to complain that he was made liable to be transported. Then it had been objected, with respect to those residing abroad, that this Bill did not make it necessary that they should be personally served with notice. But it would often be impossible to serve them personally, as they could effectually prevent that by a change of name; and persons residing abroad, who had property in this country, were almost always very well informed as to what was passing here, and, therefore, he thought that service being made at their last place of abode, and advertisements inserted in *The Gazette*, and in their county newspaper would be quite sufficient notice. It had been objected that judgment creditors would, by this Bill, be deprived of their lien on the freehold property of the debtors, and reduced under the commission to the condition of simple contract creditors; but he had a clause to propose, by which it was provided, that the commission should not deprive judgment creditors of their lien, provided it should appear to the Lord Chancellor, on inquiry, that the judgments had been fairly and *bona fide* obtained; and it was not desirable that fraudulent judgments should be protected. He had also an amendment to propose, providing that no estates in remainder, nor any estates, except those in actual possession, should be sold under the Bill. Another amendment was, that the provisions of the Bill should not take effect against persons residing abroad, until the expiration of twelve months from the passing of the Bill, within which time they might exempt themselves, by returning and paying or compounding with their creditors. The object of this Bill was not to imprison debtors, but to compel them to pay their debts, for he considered imprisonment for debt to be improper, except to compel the debtor to give up his property.

Lord *Plunkett* felt still bound to resist the Bill altogether, notwithstanding the clauses which his noble and learned friend proposed to introduce, which, he was ready to allow, were great improvements, because he considered it harsh and oppressive to the debtors who were to be the objects of it. It would be an especial hardship upon those who were not engaged in trade, but merely went abroad for their own business or amusement. [Lord *Wynford*: They might remain at home till they paid their

debts]. It might be proper, that they should so remain at home; and, if the noble and learned Lord could find some proper means to keep them at home, he should be glad of it; but this measure was too harsh. If the noble Lord could prevent landed proprietors from leaving the kingdom at all, he certainly should have no objection to such a proposition, but this really was a species of *ne exeat regno* interference which he could not understand. According to the present Bill, if any private gentleman went abroad, and did not compound with his creditors after three months' notice in the *Gazette*, and in the public papers of the county in which he had last resided, to be served at his said residence, he would be subjected at once to the operation of the Bankrupt-laws. Now, many such persons would go abroad for the purpose of not keeping up a residence at home: that provision, therefore, in such cases could not be complied with. But this Bill, their Lordships must perceive, would besides convert a mere breach of contract into a criminal act; and if the question, whether the absent party had gone abroad with a view to elude his creditors, should be tried by a Jury, and decided in the affirmative, the unfortunate emigrant would be liable to be prosecuted as a felon and transported for life. He objected, moreover, to the general principle of the Bill, because it applied a code of laws framed for traders to private individuals—a class never contemplated by the framers of the laws which it was now proposed should affect them. With regard to judgments, the noble and learned Lord said, they would still be effectual as liens upon the property, provided it were found, on inquiry before the Lord Chancellor, that they were not fraudulently entered up. But the great value of a judgment was, that it should not be inquired into. Therefore, judgment creditors must be exempted from the operation of this clause, and to place such persons under the same course of proceedings as was adopted in the Bankrupt-laws, was manifestly unjust. Independently of these objections, he had other grounds for objecting to the course now proposed. The Bankrupt-laws might be very proper within their own limits; but he was afraid, that when they were applied to those who were not traders, they would work infinite injustice. He objected to this Bill, because he thought, that the

remedy would be infinitely worse than the disease which it was intended to cure. His noble friend might be inclined to apply to him the Horatian maxim—

“Si quid novisti rectius istis,
Candidus imperti: si non, his utere mecum.”

He was not, however, inclined to take the remedy out of his noble and learned friend's hands. If their Lordships felt inclined to support this Bill, he would not press his objections further; but if they did not feel so inclined, he must persist in his resistance to the Bill.

Lord *Tenterden* said, that his official engagements of late had afforded him no time for making himself acquainted with any Bills, and certainly not with the Bill of his noble and learned friend. He would therefore propose, that the third reading of this Bill should be postponed for a few days, in order that he might have time to look into it. If then he saw any objections to this Bill, he would take the opportunity of stating them.

The Lord *Chancellor* thought it necessary that the Bill should be reprinted; for the Bill, as now printed, contained a clause which referred to the superintendence of the Great Seal, and of which no mention was made in the Bill as it originally stood. He, therefore, agreed with his noble friend, the Lord Chief Justice, in thinking that it would be for the convenience of all parties to have the further consideration of this Bill postponed for some time, that they might have an opportunity to consider the new arrangements introduced into it.

Lord *Wynford* said, that there was no occasion that the clause to which the noble Lord on the Woolsack had alluded should be inserted in the Bill, as the power of superintendence was already in the Great Seal under the Bankrupt Act. [The Lord *Chancellor* did not mean as respected judgments, but as to felony.] There was nothing at all about felony in the Bill; the clause merely intended to give the Court of Chancery the power it possessed already under the Bankrupt Act, but it did not go to compel the Court to exercise it. It was felony for a bankrupt not to surrender, but then the Great Seal had the power of enlarging the time for such surrender, and thereby virtually defeated the object of the prosecution. He proposed to leave the matter as it stood at present; and, therefore, the hardships which had been pointed out by the noble and learned

Lord, the Chancellor of Ireland, did not exist, because the Lord Chancellor of England possessed this power in the usual course of the exercise of his authority. He was more confident than ever in the Bill, now that he had heard how weak were the arguments which his noble friend, the Chancellor of Ireland, had to urge against it. When all the amendments which noble Lords had suggested were added to the Bill—and he was most anxious that it should receive every improvement that could be suggested—he would certainly take the opinion of their Lordships upon it. He had not the slightest objection to the proposal of his noble friend, the Lord Chief Justice. He would therefore move, that these clauses, be printed, which he had now added; that the Bill be then recommitted; and, that it be read a third time on Tuesday next.

The Earl of *Eldon* felt great satisfaction that the noble Lord had consented to postpone the further consideration of this Bill. In protecting the just rights of creditors, their Lordships ought to take care not to injure innocent persons, against whom no fraud could be justly imputed. Men might be accused as fraudulent, when, in point of fact, they were not so. He had a strong inclination to assist his noble friend in attaining the object he had in view; but in legislating upon this subject, they must be extremely careful not to involve the interests of those who did not deserve to be brought within the operations of a law, which should only apply to persons really guilty. If the utmost care was not taken, appearances might be assumed as proofs of fraud. For instance, a gentleman might go abroad, leaving certain debts at home, and would become, under the provisions of this Bill, subject to the Bankrupt-laws, made for the protection of trade; *non constat* that the creditor would take care to serve him with sufficient notice, even under the terms of this very Bill. It ought to be framed with an accurate knowledge of the manner in which it would operate in all its bearings; and it should be required of the creditor in every case under this law that he had done every thing which the law prescribed, to enable him to bring his debtor within its operation. His only wish was, to ascertain the state of the laws; and, at the same time, to give his noble and learned

friend all the assistance he could, to further the general object he appeared to have in view.

Bill postponed.

HOUSE OF COMMONS,
Friday, August 12, 1831.

MINUTES.] Bill read a second time. Candle Duties Repeal.

Returns ordered. On the Motion of Lord KILLEEN, the names of the several stipendiary Magistrates in Ireland, the date of their Appointments, the amount of their Salaries and Emoluments, and the sources from whence derived; also, an account of the Superannuations granted to the Chief Constables of Police:—On the Motion of Sir HENRY PARNELL, of the sums paid into the Exchequer, in the year ending the 5th of January, 1831, by the Post Office, towards the repayment of Loans advanced for building the Menai and Conway Bridges, and for an account of the Tolls received on the said Bridges.

Petitions presented. By Mr. HEYWOOD, from the Chamber of Commerce and Manufactures at Manchester, for the renewal of the Sugar Refinery Act; from the Operative Spinners and others of Ashton-under-Line, in favour of the Cotton Factories Apprentices' Bill; from the Owners of Tenements at Manchester, against the Liability of Landlords Bill. By Mr. CALLAGHAN, from the Inhabitants of Garrocloyne; and by Lord KILLEEN, from the Roman Catholic Inhabitants of Stammullen, Moor Church, Julianstown, Navan, and Screen, against any further Grant to the Kildare Street Society. By Mr. CALLAGHAN, from the Millers of Cork, against the Importation of Foreign Flour. By Sir HENRY PARNELL, from the Inhabitants of Ballinakill, and from the Catholic Clergy of Portarlington, Emo, and Killenard. By Sir RICHARD MUSGRAVE, from the Catholic Inhabitants of Ballyduff, of Temple Michael, Kilcockin, Kilwatermoy, Portlaw, Crook, Kilsaint, Nicholas, Batterstown, and Trinity-without-Waterford, against any further Grant to the Kildare Street Society. By Mr. SINCLAIR, from the Provincial Synod of Caithness and Sutherland, for the abolition of Slavery. By Sir W. W. WYNN, from the High Sheriff and Grand Jury of the County of Denbigh; and by Mr. NICHOLSON CALVERT, from the Maltsters of Ware and its vicinity, against the use of Molasses in Breweries and Distilleries.

TAXES ON KNOWLEDGE.] Mr. Heywood presented a Petition from the Mechanics' Institution of Bolton, praying, that as shortly as possible after the passing of the Reform Bill, measures might be adopted to remove the duties on paper, upon advertisements, and the other Taxes on Knowledge. The hon. Member expressed his entire concurrence in the prayer of the Petition.

Mr. *Wilks* must also support the prayer of the Petition. He hoped Government would afford every facility to the acquisition of useful knowledge to the working classes, for in proportion as the people possessed constitutional rights, they ought to be furnished with the means of enabling them to exercise these rights intelligently, which would materially contribute to the advantage of the country. The taxes of which the petitioners complained,

were already evaded to a great extent, and he was persuaded their repeal would be beneficial to the public, without material injury to the revenue.

Petition to be printed.

POOR LAWS (IRELAND).] Lord *Morpeth* presented Petitions from Leeds, Halifax, and Dewsbury, recommending the adoption of a system of Permanent Relief for the Poor of Ireland. The persons from whom these Petitions proceeded, belonged to the great manufacturing districts, from which large contributions had been drawn for the relief of the distressed Irish. The Petitioners attributed the frequent recurrence of this distress to the state of society in Ireland, and expressed their opinions, that the destitute persons of that country ought not to be supported by perpetual drafts on English charity. Although the principles of Christian charity were universal, yet the application of the means must necessarily be confined to particular countries and neighbourhoods.

Mr. *Sadler* supported the prayer of the petition. The meeting at which the Dewsbury petition was agreed to, was highly respectable, and the general feeling was, that it was a most improper and insufficient method of obtaining relief, to carry a begging-box round the country; for the consequence was, that the utmost distress had been endured before relief could be administered. He entirely agreed with that part of the petition which suggested the necessity of establishing a compulsory provision for the relief of the Irish Poor, and expressed his readiness to concur in the adoption of means calculated to put an end to the necessity which so frequently arose, of resorting to voluntary contribution for the relief of such dreadful distresses as seemed now to be almost periodical. A distinction had been taken between affording relief to the aged and impotent, and those able to work, but who could not find employment. This point had been made the subject of discussion at the meeting to which he alluded at Dewsbury—and it had been unanimously resolved, that no mode of relief would be satisfactory which did not include an efficient and practicable plan for affording assistance to persons able and willing to work, but who were deprived of employment by the peculiar circumstances of their country. Distress, accompanied by crime, formed a dreadful, but a per-

petual feature, in the history of Ireland. Private charity only reached the extremity of the evil when the previous sufferings could no longer be borne. Humanity, common sense, and justice, all combined to shew the impropriety of permitting a starving multitude to depend upon such uncertain and slender resources. He had no wish to provoke premature discussion, but he was convinced that the feelings he had uttered would soon prevail throughout the kingdom. There was, however, one circumstance to which he must revert, he meant the excitement which prevailed in the minds of English labourers, at the approach of the migratory mass of labour which, about the present time, was periodically thrown into the market of this country from Ireland. Considering the unhappy circumstances of these people at home, no man of humanity would wish to prevent them obtaining employment here, but it could not be concealed that their presence caused strong feelings of discontent, which was greatly augmenting in the minds of the English peasantry. On all these grounds, therefore, it was necessary that some efficient means should be adopted for improving the condition of the poor of Ireland, and doing away with the necessity of making them dependent on the casual charity of the humane, which, after all, was a poor resource, and only afforded a mockery of relief. He trusted the House would bear in mind, that the petition spoke the sentiments of a respectable and well-educated class of the community.

Colonel *Davies* was surprised that the hon. member should found an argument for the establishment of Poor-laws in Ireland, on the excitement which the presence of Irish labourers created in the minds of the English peasantry. He was of opinion, that the establishment of Poor-laws in Ireland would not raise the wages of labour in that country. It would rather tend to reduce wages. At all events, he was satisfied that it would not keep a single Irish labourer from visiting this country; so long as an Irishman could earn 12s. or 15s. a week by crossing the Channel, he would never remain at home, to starve on a miserable pittance, doled out to him by the operation of Poor-laws.

Mr. *Evelyn Denison* did not think the prevention of Irish labourers coming into this country was a proper motive for the establishment of Poor-laws in Ireland,

The decision of the House must be guided by higher considerations. When the subject was regularly brought forward, he should be fully prepared to state the grounds on which he concluded, that it was not only necessary, but just and expedient, that some legal provision should be made for the poor of Ireland, in their own country.

Mr. *Hodges* must also take the opportunity of stating, that, in his opinion, it was absolutely necessary to establish Poor-laws in Ireland.

Mr. *Hunt* wished to call the attention of the House to the unfortunate condition of the people of England, who were driven out of their own markets by labourers from Ireland. When he was a farmer, there was such a scarcity of hands, that farmers would have been glad to procure extra labour at any expense; but the case was now reversed. From the enormous pressure of taxation, the farmers could not employ sufficient labour properly to cultivate their land. He hoped, that measures would be adopted with a view to stimulate agriculture in this country, and was satisfied, that by such a course, sufficient employment would be afforded, not only to our own population, but to every Irish labourer who should visit England.

Colonel *Sibthorp* regretted to observe in the public prints, a disposition to create dissension between the English and Irish labourers, and he therefore gladly availed himself of that opportunity to refer to an outrage said to have been committed by a part of the population of Lincolnshire, on some Irish labourers. He was happy to say, that the story of the mutilation, which had been published in some of the newspapers, had received a complete contradiction in the county paper, where the report was described to be completely false and scandalous.

Mr. *Sadler* begged to be permitted to observe, as it might be inferred from the course the conversation had taken, that he objected to the Irish coming to this country to seek for employment, that he had not the least desire to prevent their doing so. They had a right to seek elsewhere for the subsistence of which they were deprived at home by the unnatural conduct of the rich. Those persons who opposed the introduction of Poor-laws into Ireland were extremely inconsistent in their reasoning. Formerly they contended such a measure would raise the price of labour,

and thereby prove injurious to the buyers of labour, or to those who employed the people. Now it was said, the measure would reduce the value of labour. It was not possible that both of these opposite arguments could be well founded. Any measure which created capital, must naturally increase the demand for labour, and in the same proportion augment the value of the remuneration.

Mr. *Protheroe* was much gratified by the increasing interest this subject acquired upon every fresh discussion; it was a question which yielded to none in importance.

Petitions to lie on the Table.

SETTLEMENT BY HIRING BILL.] Lord *Morpeth* presented Petitions from the Churchwardens and Overseers of the poor of Leeds and Halifax, against the Settlement by Hiring and Service Bill. He wished to know from the hon. Gentleman who had introduced the Bill, whether it was his intention to press it during the present Session?

Mr. *John Weyland* said, the object of the Bill was, to promote a free circulation of labour in the agricultural parts of the country, and that the measure would not affect the manufacturing interests, and he did not understand what reason they had to petition against a measure which was not to affect them. He was extremely reluctant to relinquish the Bill, but if he found no chance of making any progress in it in a few weeks, he should withdraw it, with the intention of bringing it forward at another opportunity.

Mr. *Escourt* hoped the hon. Member would persevere with the Bill, and not think of abandoning it, because certain manufacturers, in a particular part of the country, thought proper to oppose it. Those persons who were acquainted with the situation of agricultural labourers, well knew the evils they endured were much increased by the present laws of settlement. The object of the Bill was, to give the labourer a free market for his only commodity, labour, and the House might find time to discuss a measure of so much importance.

Mr. *John Weyland* intended to persevere with the Bill, if the business of the House would permit his doing so: if the hon. Member could obtain him an opportunity for forwarding his measure, he should be happy to avail himself of it. He hoped that some day might be set apart for the

consideration of the important subjects connected with the existing state of the agricultural labourers.

Mr. *Sadler* knew the petitioners were men well acquainted with the interests of the country, and he thought their objections to the Bill worthy of the consideration of the House.

Mr. *Heywood* recommended the hon. Member to postpone his Bill, until an opportunity could be had, to obtain for it that full consideration which its importance deserved.

Lord *Morpeth* felt it necessary to move that these petitions be printed, in order that the House might have an opportunity fully to appreciate the arguments of the petitioners, as the hon. Gentleman was not disposed to withdraw his Bill. The petitioners did not so much object to its general principle, as to that clause which confined the operation of the measure to towns the population of which did not exceed 1,000 persons.

The petitions to be printed.

ROMAN CATHOLIC MARRIAGES.] Lord *Morpeth* presented a Petition from Leeds, praying, that Marriages celebrated in Roman Catholic Chapels, by persons professing that religion, might be legalized. This Petition directed the attention of the House to a great defect in the existing law, for the consequence of these marriages being invalid was, that the issue were considered bastards, whereby the parishes in the manufacturing districts were seriously burthened.

Mr. *O'Ferrall* said, that in consequence of the state of the law respecting Roman Catholic Marriages, husbands were induced to desert their wives. This subject, in a moral point of view, well deserved the consideration of the House.

Petition to be printed.

IMPROVEMENTS OF THE HOUSE OF COMMONS.] Colonel *Trench* begged to be permitted to move, that Sir John Wrottesley and Lord Tullamore be added to the Committee appointed to inquire into the propriety of making some Architectural Improvements in the House. As the Committee had been originally appointed without a full explanation being given, he was anxious to avail himself of the present opportunity of briefly stating an outline of the improvements contemplated. When other reforms were in progress, of a most

important nature, it was not, he hoped, presumptuous in him to suggest modes for improving the approaches, accommodation, and atmosphere, of the House of Commons. The principal points to which the attention of the Committee appointed at his suggestion had been directed, were—first, that from want of sufficient room in the seats on crowded nights, the Members were in the habit of collecting on the floor; next, that the voice was continually, in consequence of the current of air from the eastern windows, carried into the lantern or loft above, and lost to all but the persons, generally females, seated there, whom the gentlest and softest sigh uttered by Gentlemen below never escaped. He had, in the Estimate of the improvement, received representations which led him at first to believe that 2,000*l.* would have been equal to the expense. He had since been led to infer, on juster grounds, by an architect, who, strange to say, had the rare quality of keeping the expense within the precise calculations of the Estimate, that the alteration would amount to 3,000*l.* The Estimate embraced the project of extending the House and the gallery back to the lobby, so as to enable the House to contain, with convenience, about 120 Members more. By carrying the lobby forward to the entrance of the House of Lords, there would be a space gained for the new lobby of 500 square feet, which would be a great improvement; and a passage would be secured round the House and the galleries, so as to prevent the constant interruption occasioned now by hon. Members rising and crossing each other, so as to escape through the north and south doors into the lobby, without passing through the House. There was yet an important feature relative to the communication of the voice, which he hoped the plan would materially improve. At present, the Speaker's part of the House was remarkable for giving effect to the voice—that near the gallery was directly the reverse; the reason was, that the voice was wafted directly across the House by the draught of air from the windows, and was lost in the lantern above—it was thus abstracted not to return. His project was, to substitute for the even flat-surfaced roof a broken and slanting roof, which would retain the voice within the House—like that of a well-known lately-erected music-room at Brighton. It was desirable that this roof should correspond, in the

style of its breaking and its ornaments, with the ancient character of the venerable Chapel of St. Stephen, so as to render the alteration consistent with the rest of the building. He should say no more at present, because he had taken other means to call the attention of Members to this subject, and he hoped they would be able to ascertain from the Estimates annexed to the plans and specifications, the object he proposed to accomplish.

Lord *Morpeth* was sure every hon. Member must feel grateful for the pains taken by the gallant Officer for their future accommodation. He begged to ask the hon. Gentleman, how his plan would affect the accommodation for strangers?

Colonel *Trench* said, the proposed alteration would much enlarge the accommodation for strangers. The back of the present gallery would, if the alterations were made, be the front of the future gallery.

Mr. *Hunt* cordially agreed with the proposed improvement, and considered that the thanks of the House would be due to the hon. and gallant Member even if the expense amounted to double what he estimated it at.

Motion agreed to.

BREACH OF PRIVILEGE.] On a question that certain Petitions against any further grant to the Kildare Street Society be laid on the Table,

Mr. *James E. Gordon* said, he would take that opportunity of bringing under the notice of the House one of the most atrocious Breaches of the Privileges of the House that had ever been committed against any of its Members. It was not his intention to follow up his statement with any motion on the subject, for he had taken a much more effectual means of setting himself right with the public. It would be recollected, that some time ago he had called the attention of the House to some blasphemous publications, which he then and still thought, ought not to be allowed to escape without the visitation of the law. Alluding to that circumstance, the Breach of Privilege to which he referred had been committed in a public print of the very lowest class. The hon. Member here read the passage, which began by alluding to his notice of the blasphemous publications, and to the part taken by the hon. member for Preston

(Mr. *Hunt*) on that occasion. It described the hon. Member as the opponent of the rights of the people—as the purchased agent of the Tory party against the Reform Bill. The hon. Member was proceeding, when—

Mr. *Ruthven* rose to order. He submitted, that as the hon. and gallant Member did not intend to make any motion, he was out of order in entering upon a matter which had nothing to do with any business before the House.

The *Speaker* said, it was quite clear that the hon. Member who rose to order was himself out of order. There was a Motion before the House, so that the hon. Member (Mr. *James E. Gordon*) could not make a new motion on it. He was quite in order, in taking that opportunity of adverting to the subject which he had introduced to the House; and if, in his doing so, the hon. Member (Mr. *Ruthven*) had seen anything disorderly, he had discovered more than had yet appeared to him (the *Speaker*).

Mr. *James E. Gordon* resumed.—The article, of which he had read only a small part, after alluding in very offensive terms to the hon. member for Preston, as the mouth-piece of the Tories against the Bill, and as the pot-companion of Hetherington (the reputed writer of one of these low publications), went on to describe him (Mr. *James E. Gordon*), as the author of many of those blasphemous articles in that low print, and the correspondent of the editor; and then it gave two pretended Letters—gross forgeries—purporting to be from him to the editor. He had felt it his duty to call the attention of the House to this subject, but would take no further notice of it here, having adopted other means of setting himself right with the public.

Mr. *Hunt* said, it seemed as if the object of the hon. and gallant Member was rather to promulgate the libels against him (Mr. *Hunt*) than to defend himself, for he had read some of the offensive terms that had been applied to him, though he had carefully avoided reading the contents of the Letters that were imputed to himself. For his own part, he totally disregarded the libellous attacks of the Press. It was well known that in nineteen cases out of twenty what it stated was grossly false. The Press attacked any and every one who presumed to have an opinion of his own, or to venture to

differ from the opinions which it chose to deliver on any subject, but particularly on the Reform Bill. Every man was held up as an enemy of the people who ventured to offer an opinion hostile to any part of the Bill; but for his own part he despised such attacks, and therefore took no notice of them. By the way, if Ministers were in their places, he would inform them, that they themselves had fallen under the displeasure of the editor of *The Times* on this subject, as appeared by an article in that paper of this morning.

Mr. O'Ferrall said, that the hon. Member should take that fact as an answer to the charge that had been made, of *The Times* being in the pay of the Government.

Mr. Ruthven said, the wisest course would be, to take no notice of such low publications, and they would speedily sink into oblivion. It was the object of the authors to have their scurrility noticed in the House, which very materially tended to increase the sale.

Petitions to be printed.

STEAM CARRIAGES.] Sir George Clerk appeared at the Bar with the report of the general Turnpike Tolls (Scotland) Bill.

On the question that it be brought up,

Mr. Dixon objected to bringing up the Bill, as it proposed to impose such duties on Steam Carriages as would amount to a complete prohibition. All he was anxious to do now was, to propose that the consideration of this Report should be postponed until the Committee which was sitting on Steam Carriages had made its report.

The *Speaker* suggested to the hon. Member, that the House could know nothing of the Report until it was brought up. The hon. Member might afterwards make his objection on the question that the Report be agreed to.

The Report was then brought up.

On the question that it be recommitted,

Mr. Dixon objected to the enormous tolls which the Bill proposed on steam-carriages, which would, in effect, be three times the amount of other carriages carrying the same weight. By the enactments of this Bill 2s. 6d. must be paid for thirty-four cwt. of coals, which would tend in the infancy of a most useful invention to prohibit it from coming into operation. Without going into the question of the policy of those tolls, he wished that this Bill should

not proceed further until the Committee alluded to should have made its report.

Mr. Alderman Wood suggested, that the Bill should be recommitted for that day week. In the interim, the steam-carriage Committee would probably make its report.

Sir George Clerk denied, that the Committee on the Bill had imposed anything like a prohibitory toll on steam-carriages. On the contrary, it adopted the scale of tolls suggested for such carriages by the very individual who had invented them, and they, in reality, would be the same as if the carriages were drawn by horses. His object was to have this Bill recommitted to a Committee of the whole House. He would have it committed nominally for Monday, and printed, but he was unwilling to postpone it to any time which might risk its chance of passing this session.

Mr. Cutlar Ferguson said, that Mr. Gurney, the inventor of steam-carriages, considered the proposed scale of tolls very fair.

An *Hon. Member* said, that if the hon. member for Glasgow (Mr. Dixon) would study a little the principles of friction and draught, he would find reason to alter his opinion with respect to the tolls on steam-carriages.

Mr. Dixon said, that hon. Members were mistaken as to the opinion of Mr. Gurney. It did not go to the case of heavy goods. He thought the House would do very wrong to legislate upon a matter concerning which, to a great extent, it must be deficient in proper information. Would it not be better to wait until they had the report of the steam-carriage Committee before them? The country suffered more from ignorant legislation than from any other cause, and he thought, that to put a stop to such legislation was of more importance than the Reform Bill itself.

Bill recommitted, and to be printed.

JEDBURGH ELECTION.] Sir George Clerk, seeing the learned Lord (the Lord Advocate) in his place, wished to put a question to him. As Chairman of the Committee which sat on the Jedburgh Election Petition, it was his (Sir George Clerk's) intention, to have brought some of the circumstances which appeared before the Committee, under the notice of the House, but understanding that the

learned Lord, as public prosecutor in Scotland, had directed proceedings to be commenced against some of the parties, he thought it better to leave the matter to the regular tribunals. He wished to know from the learned Lord, whether it was his intention to go on with the proceedings against those parties?

The *Lord Advocate* said, he had instituted proceedings against some of the parties, but the case was prevented from coming on by the absence of some witnesses. It was his intention to go on with the proceedings.

Sir George Clerk under those circumstances would not bring the matter before the House.

ALTERING A PETITION.] Mr. Gillon presented a Petition from Linlithgow, praying the House to accelerate the progress of the Reform Bill.

The *Speaker*, on the Petition being brought up, called the attention of the hon. Member to some erasures that appeared on the face of the petition, and asked him to explain how they occurred.

Mr. Gillon said, that the petitioners having used some strong language, which he thought might not be favourably received by the House, he had, not having much experience on the subject, not thought it unparliamentary to make the alteration by erasing those words.

The *Speaker* said, that a little consideration would have served to show the hon. Member, that the petition, so altered, and not by the petitioners themselves, ceased to be the petition of those whose names were annexed, and therefore could not be received by the House. If the hon. Member saw anything objectionable in the language of the petition, he should either have abstained from presenting it, or, calling the attention of the House to the objectionable passage, should have left it to the House to dispose of it as it should see fit. It was quite clear, that he should not have made any alteration in it himself, but having done so, it from that moment ceased to be the petition of the parties who signed it.

Mr. Gillon said, he was not aware that he had been acting wrong. The petition, however, showed that the people of Scotland were not as lukewarm on the Bill as—

The *Speaker* called the hon. Member to order: having presented a petition which the House could not receive, there was

now no question on which the hon. Member could address the House.

Mr. Hunt was proceeding to address the House when—

The *Speaker* said, that the rising of the hon. Member afforded an illustration of the inconvenience against which he wished to guard, when he reminded the preceding speaker that there was no question before the House.

The petition withdrawn.

CORN LAWS.] Mr. Hunt said, he had several Petitions in his hand from Preston against the Corn Laws, but as they were expressed in rather strong terms, he hardly knew how to present them, until he should learn whether the noble Lord would reject them or not. He would read the strong parts of the petition. The petitioners stated, that one of the most unequal, unjust, partial, and oppressive Acts that ever passed, was that which was called by those who suffered from it, the Starvation Bill, but by the landowners the Corn Bill. It was passed at the point of the bayonet, in the year 1815, for the purpose of enabling the farmers to pay large rents to their landlords, &c. He was much of the same opinion as the petitioners. To him it appeared, that the Act in question was a gross, unjust, and inhuman law; and he well remembered, that the presence of the military had been necessary to its passing. He hoped the time had not arrived when the present liberal Ministry were about to set an example of a course of conduct never before practised in that House—namely, when the people prayed for redress of their grievances, to reject their petitions because they considered them erroneous. The prayer of the petition was, that the Corn-law should be repealed.

Mr. Cutlar Ferguson said, that the Act of which the petitioners complained was no longer in existence. They prayed for the repeal of an Act which, they say, passed at the point of the bayonet in 1815, which had since been repealed. The Corn-laws of the present day were not those of which the petitioners complained.

Sir Robert Inglis observed, that the House could not consent to receive a petition which declared, that one of the Acts of the Legislature had been passed at the point of the bayonet. It seemed to be the object of the hon. member for Preston,

to see how far the House would be submissive in suffering itself to be insulted. Day after day he presented petitions which only tended to degrade the House and all the institutions of the country, and which would certainly eventually injure the right of petitioning itself. He therefore called upon the noble Lord the Chancellor of the Exchequer, to concur with him in rejecting this disrespectful petition.

Mr. *Cripps* was of opinion, that to print such a petition would be wrong. He had no objection to its being laid on the Table, but would never be a party to printing such expressions as it contained. He differed from the hon. Member and the petitioners as to the effect of the Corn-laws. He believed they had benefitted, instead of injuring the poor, or any other part of the community. The question had been examined in every point of view, when the Bill passed. He should vote against printing such a petition.

Sir *Matthew White Ridley* said, there was nothing so disrespectful to the House as should induce them to reject the petition. He thought it better to receive the petition than have the time of the House wasted by a useless discussion, though he wished the hon. member for Preston would not present petitions likely to provoke discussion, when he had a motion on the subject of the Corn-laws to bring forward. He would not object to receive the petition, but he could never agree to allow a petition so extremely absurd, and evidently founded on such erroneous impressions as that now before them, to be printed.

Lord *Althorp* remarked, that the hon. member for Preston had not, as he stated, read the strongest passage in the petition. He would read a passage to the House, which would bear out this fact; it was in these terms—"Your petitioners beg leave respectfully to petition your honourable House to take this matter of just complaint into your consideration, with a view to the complete removal of the duty on corn, knowing, as your petitioners do, that the productive classes of this country cannot, and will not, much longer submit quietly to a system of such gross injustice and oppression; and your petitioners add, that if their just hopes should continue to be disappointed, the bonds of society would burst asunder, and the British lion would, perhaps, trample into dust an obstinate Parliament, and Peers and Prelates find

their level amongst the crowd of their fellow-men." He suggested to the hon. Member the propriety of withdrawing the petition.

Mr. *Hunt* replied, that he certainly would not withdraw it. There was not, in his opinion, any danger in figurative language. He moved, that the petition be brought up, and hoped somebody would second his Motion.

Mr. *James* seconded it, and declared, great allowances ought to be made for the language used by starving men.

Mr. *Maberly* thought the petition ought to be rejected; and the fault of its being rejected, lay with the petitioners themselves, and with the hon. Member, who, it was to be presumed, had made himself acquainted with its contents. If the petitioners really wished to have their case considered, they would not have employed language, which either they themselves must know, or their Members could inform them, must ensure the rejection of their petition by that House. Whatever their distresses might be, they could describe them in decent and respectful language at least.

The House divided on the Motion for the bringing up of the petition:—Ayes 6; Noes 122—Majority 116.

List of the AYES.

Forbes, Sir C.	Sheil, R.
Forbes, J.	
Hume, J.	TELLERS.
O'Connell, D.	Hunt, H.
Ruthven, J.	James, W.

[HOLLAND AND BELGIUM.] Lord *Althorp* moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Croker* rose and said, it was his intention to move an amendment to the motion of the noble Lord. He hoped, however, that eventually this proceeding would be found not to occasion any very great delay. He might have yesterday availed himself of his noble friend's request to the hon. member for Oakhampton (Sir R. Vyvyan) to postpone his motion, and have brought the matter forward, but this might have appeared ungracious; and even now he would consent to postpone his amendment to the same period with the hon. member for Oakhampton's motion, if he did not feel, that under all the circumstances, in justice to the character of his Majesty's Ministers—in justice to the

country, and to its reputation in Europe, he could not avoid entering upon the subject on the very first opportunity. He confessed he should owe some apology to the House for offering to address it on a subject, concerning which more than one notice had been given, and which had been postponed for reasons in which he fully acquiesced. But the object he had in view, he was convinced even his noble friend (Viscount Palmerston) would agree with him, was attended with no risk to the public interests. He was not about to expatiate upon matters of general policy, nor to press for any disclosure which might be injurious to negotiations then pending. He rose to call for an answer to a thing which ought to be forthwith examined and explained. Under other circumstances, he should be happy to postpone his Motion, and he should be the more ready, and the more anxious to do so, because he was aware of the unavoidable absence, of his right hon. friend, the member for Tamworth (Sir R. Peel), an absence always to be regretted when any great public interest was in discussion, and which would not have occurred on this occasion, if the necessity for the immediate explanation which he (Mr. Croker) was about to call for could have been foreseen. The observations he was going to make, applied simply to the conduct of his Majesty's Ministers in the execution of their public duties in that House. He was not going to enter on the large question of the affairs of Belgium with Holland, or of France with Belgium. He was going to put right, if he could, a wide-spread, and wide-spreading, misunderstanding. In proceeding with this view, he felt, that to his noble friend (Viscount Palmerston) with whom he had lived on terms of such long and affectionate intercourse, it was quite unnecessary—although to other hon. Members it might not be—to say that the high respect he entertained for his good qualities, and the intimate and long knowledge he had of him, which had matured those originally high opinions into the greatest respect and esteem, would prevent him (Mr. Croker) from making any motion to offend his noble friend. That such might not be supposed to be his intention in the least degree, he begged it to be distinctly understood, that his Motion applied to the Government in general. If, then, his noble friend's name were men-

tioned in this affair, let it be always supposed to be referred to in common with the other Ministers, and to be more specially introduced, because the matter in question related to the department over which his noble friend specially presided. In whatever he said, nothing, he hoped, would be considered as disrespectful to his noble friend; and if anything wearing such a semblance should happen to escape from him, it was to be considered as addressed, not to his noble friend's personal character, but addressed to him abstractedly there, as the Representative of his Majesty's Government. Before proceeding further, he must recall to the recollection of the House, the circumstances which lately occurred with regard to the questions—let him rather say, than the discussions—which had taken place in that House on the Belgic negotiations. The House would recollect, that on Friday the 5th of August—but first, he must beg to ask for that reply to the question, which his noble friend could not give yesterday—namely, on what day the communication to him, and the noble Earl at the head of the Government, relative to the recommencement of hostilities had been made by the Dutch Ambassador?

Viscount Palmerston: On Friday.

Mr. Croker resumed. On Friday, the 5th of August, the country was surprised by the announcement that his Majesty the king of the Netherlands had entered the newly-created kingdom of Belgium with an armed force. His hon. friend, the member for Oakhampton (Sir R. Vyvyan), on the meeting of the House on that day, as was natural, inquired of the noble Lord, the Chancellor of the Exchequer, who happened to be in his place, his noble friend (Viscount Palmerston) not being in his, whether it was true that the Dutch troops had thus hostilely entered the new kingdom of Belgium? The noble Lord (Lord Althorp) in reply, answered to the following effect.—He (Mr. Croker) would not, in matters of such delicacy, trust too much to his own recollection, but would read the noble Lord's reply, as it had gone forth to the world in the daily reports of their debates: "His Majesty's Government had received from Sir Charles Bagot, official information of the intention of the king of Holland to put an end to the armistice between Holland and Belgium."* The pointed statement

* See ante, p. 829.

of the noble Lord, that the information concerning the breaking of the armistice was received from Sir Charles Bagot, excited his attention, because it seemed passing strange, that a great measure of this kind should have been left to be communicated at second-hand, as it were, to the great mediating Powers, by the king of the Netherlands. Common justice, natural humanity, the courtesy due among nations, forbade the belief, that the king of Holland should decide upon recommencing hostilities, and act upon that decision, without directly announcing it to them. He therefore took the liberty of stating to the noble Lord, that the emphatic mention of Sir Charles Bagot's name induced him (Mr. Croker) to inquire, whether the Dutch government had forwarded any communication upon the subject to his Majesty's Government? The noble Lord gave him an answer, which, he would do him the justice to say, was, like all his answers, full of propriety and prudence. The noble Lord said, "a reply to this question might lead him into further details than he should be justified in entering upon at that time; but that certainly the first information received was from Sir Charles Bagot." But then the noble Lord, upon sitting down, received a communication from the only other Minister in the House, and it was not too much to assume, that the communication related to this subject; for the noble Lord then rose a second time, and said he would give him (Mr. Croker) a more explicit answer, and this answer was: "It was with the greatest surprise that his Majesty's Government learned from Sir Charles Bagot, that it was the intention of the king of Holland to put an end to the armistice; for at that moment a Minister was sent to the British Court by the king of Holland, with orders to enter into a negotiation on the matters pending between Holland and Belgium. That Minister had an interview with my noble friend, the Secretary of State for Foreign Affairs, in which interview he did not mention a word of the probability that the armistice would be broken; and it was not until the evening, and after a question had been put on the subject in Parliament by a noble Lord, that my noble friend received despatches from Sir Charles Bagot, informing him that it was the intention of the king of Holland to terminate the armistice between Holland and Belgium."*

* See ante, p. 830.

There was nobody who heard this answer, who was not deeply surprised at the conduct of the king of Holland; the noble Lord (Lord Althorp) having positively denied, that any communication had been made, and having added a strong insinuation of perfidy on the part of the king of Holland, when he stated that that Sovereign had determined on commencing hostilities without giving any notice to our Government, at the very moment when a Minister had been sent by him to this country, in order to enter into negotiations. He had now stated the *prima-facie* facts of this stage of the case; but he believed it could be proved, that the real facts did not bear out the impression which naturally might be created by the statements and the insinuations of the noble Lord. But the matter did not rest there; for the hon. member for Oakhampton (Sir R. Vyvyan) gave notice, that he would bring the subject forward next day (Saturday), and on that day he had the advantage, and a great advantage it must be considered, of the presence of his noble friend (Viscount Palmerston), who then went through a kind of political catechism with exceeding good humour. He himself, however, did not think of embarrassing his noble friend with any question, for he was convinced, by what had fallen from the Chancellor of the Exchequer, on the previous day, that the Ministers had received no information; convinced, but not satisfied; and he felt greatly surprised that our ancient and esteemed ally, the king of Holland, had been guilty of such perfidy. He was silenced, however, by the statement of the noble Lord, the Chancellor of the Exchequer. Others, however, did put questions to his noble friend (Viscount Palmerston), who repeated the statement in general terms, that there was no doubt the king of Holland had broken the armistice, and without giving notice. He remembered then stretching across the Table to his noble friend, when he used the words "broken the armistice," and suggested to him the propriety of saying "denounced the armistice." But his noble friend disregarded this suggestion, and even rose and repeated in a more solemn way, that the Dutch had violated the armistice. The right hon. member for Tamworth (Sir R. Peel) then stated to his noble friend (Viscount Palmerston) "that he (Viscount Palmerston) had used, perhaps through inadvertence, the terms

"violated the armistice," and "broken the armistice," which implied bad faith on the part of the Dutch government, and therefore, he (Sir Robert Peel) was desirous of asking him, whether he really did mean to say, that the king of the Netherlands had broken the armistice, for that his (Sir Robert Peel's) view of the case was different?" His noble friend (Lord Palmerston) expressly replied, that he believed his right hon. friend was in error, and observed, there were two armistices, one of which was local, and formed between the Dutch commander at Antwerp, and the Belgian commander at Antwerp, and which might be terminated by a notice of three days; the other was more general, as it extended along the whole frontier line, and was formed under the sanction of the five Powers; and it was of this latter he had spoken when he observed the Dutch had violated the armistice. Here then were the Dutch accused of not only having violated the armistice without giving notice to the Belgians, the party against which hostilities were to commence, but likewise of violating it without notice to the mediating Powers. Moreover, his noble friend added, that up to the moment at which he was speaking, no communication had been made to his Majesty's Government on the subject by the plenipotentiary of the king of the Netherlands. On Tuesday, again his noble friend was put into the confessional, and again the same facts in general were enumerated. Now, such being the statements made, he wanted words to describe his surprise, after all the questioning in that House, and, after long and protracted debate in another place, when he and other Members of that House, in their individual inquiries, and also by the ordinary channels of information, ascertained that the Dutch, not only had not been guilty of the perfidy with which they had been charged, but that they had absolutely done that which he and other Members of this House had understood his noble friend had accused them of not doing. In another place, to which he could not more distinctly allude, that avowal had been made. He knew it, because he had read in the public papers an ingenious treatise on the subject, introduced in the shape of a dialogue, in which his Majesty's Ministers and their opponents in the upper House of Parliament were supposed to bear a part; and in that

treatise it was stated, that his Majesty's Ministers admitted, that on Wednesday morning, the 3rd of August (his narration, it would be remembered, began with Friday evening, the 5th)—that on Wednesday morning the minister of Holland had waited upon his noble friend, and after some conversation, delivered to him a certain letter. It appeared, also, that that letter had remained unopened for above twenty-four hours. The reason that was alleged, in the dialogue to which he had before alluded, for this apparent neglect was, that the letter was not addressed to his noble friend, but to the Conference at large. His noble friend made a difference between letters addressed to the Conference, and to himself, though he must say, that the Conference without his noble friend, would be like the play of Hamlet, with the Prince of Denmark left out. If his noble friend would assure him, that it was not the habit of our Ministers to take notice of papers addressed, not to them individually, but to the Conference, of which they formed a part—if his noble friend would tell him, that it was not the practice to look into the contents of such papers till the whole Conference should be assembled, he should pardon his noble friend for not having opened that letter; but he should at the same time think, that it was a part of his noble friend's duty to have watched the receipt of such communications; and, on the instant, to have taken some steps with respect to them, and not to wait for twenty-four hours, when the greatest interests of the European world, then trembling in the balance, might depend on the letter which had been thus received, and he must add, thus neglected. If, however, such was the form, he had only to regret that such forms should be suffered to operate against what he would call the peaceful interests of mankind. Nothing gave him greater public pain than that a British Minister—and nothing could give him greater private pain, than that his noble friend should, upon a principle of mistaken etiquette, have left this important letter unopened. That letter was most important, especially with reference to the charges which had afterwards been brought forward against the king of Holland. In that letter the king of Holland said, that in compliance with the demand of the five Ministers at the Conference, he had sent new powers to his plenipoten-

tiaries. Now, who would not have believed—nay, more, who did not believe—from the assertions of Ministers when this subject was under consideration on a former occasion, that the king of Holland had voluntarily sent these new powers to his minister as a blind, as a curtain, behind which his military movements were to be made. That was the belief produced in that House, and produced in the country, and which must be produced throughout Europe by the successive statements of his Majesty's Ministers. He did not accuse his noble friend of wishing to create such an impression, but that it had been created by his statements, was undeniable. Now, what was the fact? The king of Holland did not volunteer to send any minister, nor any new powers, nor did he select the particular moment at which the minister was sent. The Conference of London had sent to the Dutch government to desire, that new powers should be sent to its ministers. The renewal of hostilities happened to occur at the same time with this demand of the Conference, and with the consequent journey of the Minister charged with the new powers; but, except that accidental coincidence in time, these two events had nothing to do with each other. This plain fact completely relieved the Dutch monarch from the charge of perfidy, which had been implied against him, by representing the journey of his minister, as a deceitful attempt to conceal from the Conference the march of his army. So directly the reverse were the real motives and conduct of the king of Holland, that in the letter, which was produced and read to our Prime Minister, and our Secretary of State for Foreign affairs, on Thursday, the 4th of August, the Dutch minister stated, that in obedience to the commands of his master, he desired to inform the Conference, that the king of Holland would support the negotiations by his military means. In the dialogue in the other place, to which he had before alluded, it was said, that the words were, "by military measures," and a considerable discussion took place on some fanciful distinction between *means* and *measures*. To his plain understanding, however, it seemed much the same thing, whichever of these meanings they might affix to the words, and he should not stop to investigate the difference. It should be observed, however, that the Dutch minister did not say his master would have recourse to

his military means if negotiation should fail, but that he would support the negotiations as they went on by his military means. Now, his noble friend was in possession of that letter on Wednesday, at noon, though it seems that he did not open it till the following day, and he also had a verbal communication from the Dutch minister in this country to the same effect, before the question had been stirred in Parliament; then how could he assume to charge the Dutch government with having broken the armistice without notice? His noble friend might be able to explain this—it was a difficult task, but he might do it, and certainly it was requisite to be explained, for in the dialogue supposed to have occurred in another place, no explanation of the matter was given. The letter, after speaking of supporting the negotiations by military means, which, be it remembered, were to be brought into operation simultaneously with the negotiations, went on to state, "as the plan of establishing an armistice has never been realised, there exists at the present moment only a cessation of hostilities." With that letter, of which they were in possession on Wednesday the 3rd, and knew the contents on Thursday the 4th, at noon, how could his Majesty's Ministers come down to Parliament, and on Friday the 5th assert, and on Saturday the 6th reiterate the assertion, that the Dutch government had violated the *armistice*, and without notice? Why, the Dutch government said, that it was no armistice. How could Ministers say, that the Dutch had violated an armistice, when the Dutch denied that an armistice existed. He knew there were often great differences about words—there had been much dispute about the meaning of the word *Protocol*, and a treatise had been written on the subject; and there might be an equal dispute about the meaning of the word *Armistice*; but such cavils, though they might possibly do well enough for diplomacy, would not do in the House of Commons. The imputations against the king of Holland was no light matter, for he trusted the violation of a solemn treaty, and an armistice was a treaty to a certain extent, would never be mentioned in that House without exciting indignation. His noble friend had an opportunity to make a full explanation when his right hon. friend (Sir R. Peel) put his subsequent questions to him, and called his particular attention

to the very point which it now appears was so much misrepresented. His noble friend ought at least to have stated, that though they accused the Dutch government of having broken the armistice, that government asserted, that there was no armistice whatever. His noble friend ought to have said, "I am able to prove that there was an armistice, although the Dutch government denies that there was;" but still he ought to have said, that the denial was made. When he was charging a great, aye, and an honest nation, with such an offence as that of the breach of an armistice, he should have been most cautious in his mode of proceeding; he should have been careful to guard their character as well as his own, and in stating their acts, he should have given those acts the guarantee of their previously expressed opinion. But, instead of that, his noble friend had left the Dutch nation and government, suffering for seven days under an imputation most injurious to their character—for seven days, at a more eventful period of their history than any that had occurred to them since the Duke of Alva was thundering at their gates, they had lain under a charge, made by a British Minister of violating their engagements—a charge which from any mouth ought to be intolerable to a nation as to an individual, and which was only the more intolerable when proceeding from so high and hitherto so friendly an authority. Having said thus much, he thought he had made out something of a *prima facie* case to justify him in saying, that his noble friend should have been more or less communicative, and that the noble Lord, the Chancellor of the Exchequer, should still have persevered in the prudent silence he had maintained on the first occasion when this subject was mentioned to the House; or that, when he had resolved to deviate from that silence, he should have done justice to the unfortunate Dutch.

He came now to the second scene of this—he hoped not tragedy—but most extraordinary drama. If the neglect of the first letter, dated August 1st, afforded ground for complaint, what must the House think of the absolute oblivion of the second letter into which Ministers seem to have fallen? He felt himself personally called upon to ask his noble friend for some explanation on this letter, though he readily acquitted his noble friend of intentional deception. It

would be recollected, that when he (Mr. Croker) had in his place, made some inquiries respecting that letter, his noble friend professed to know nothing about it. (They had hitherto been talking of the letter of August 1st; he was now speaking of a letter of August 2nd.) He had asked his noble friend about that letter, but his noble friend at first only remembered the letter of the 1st of August. He called his noble friend's attention in a particular manner to this second letter, and then his noble friend, with that courtesy of manner which so much distinguished him, got up, and expressed a wish that his right hon. friend (for so his noble friend called him, and so he trusted his noble friend would still call him) would explain a little more precisely what letter he meant. It was clear, that his noble friend had either wholly forgotten that letter to which he (Mr. Croker) at that moment referred, or else had confounded it with the first letter, which had remained twenty-four hours unopened. His noble friend, like other diplomatists on this occasion, endeavoured to conceal his incapacity, to reply to the question by an ambiguous answer. His answer, in effect, was, "Oh, before I tell you what I know about that letter, I should wish to know what you know about it." But his noble friend need not have exercised so much caution with regard to that letter, for it was impossible but that all the world must know something about it, as it had been published in a well-informed and influential Journal, *The Times* of that very morning. His noble friend thus reminded, at last said, that "he recollected the letter, but that it had been read by the Dutch minister to himself, and his noble friend at the head of affairs, in a very hurried manner." What! a Dutchman in a hurry—great changes had of late taken place in national characters, but he never expected to hear as an excuse for a diplomatic error, that the Dutch negotiator was in a hurry! But if the Dutchman was in a hurry, that was no reason for the Englishman being in a hurry. The phenomenon of a Dutchman in a hurry ought to have awakened the attention of his noble friend. He should have said, there must be something in the wind—something strange in this matter, thus to awaken the sensibility of a Dutchman—to arouse the vivacity of a Netherlander. Had it done so? No such thing. His noble friend had been in a hurry too.

he remembered nothing of the contents of the letter, and concluded by saying, that he forgot whether the letter was received on Friday or on Saturday! Here was a doubt of forty-eight hours, when there ought not to have been a delay of one; and the hurry or the inattention which occasioned these doubts and delays, were the more to be regretted, as it did not appear, that France had lost an hour, or even hesitated for the fourth of that time, to take her active and decided part. When the French minister was applied to by the Belgian ambassador, he at once granted an aid of 50,000 men; he did not forget the application, nor doubt on what day it was made; he attended to it at the moment, and the application having been made at one o'clock in the day, the hour of two had not struck by the clock of Notre Dame when the telegraph at Paris replied to the invitation, by an immediate assent, and, for aught he knew, the garrison of Lisle was within an hour afterwards not merely under arms, but upon the march. It was not for the men to whom the destinies of the world were committed, to say, that they had received papers, but did not know what the contents of those papers were. It was difficult for him to conceive how the British Minister to whose care such important interests were intrusted, could have stated, that he did not know on what day he had received a particular paper, which, he would fearlessly assert, was the key-stone of the whole business, the real explanation of all the diplomacy that had taken place. Let not the noble Lord tell them, as if it would be any excuse, that the letter was read in a hurry. So far from being an excuse, it only seemed to make the matter worse. Were communications of such vast importance to be slurr'd over in a hurry? Was a matter to be left to verbal intercourse between two Ministers, which was to decide the fate of nations and the peace of the world? Was it credible that such interviews should have taken place, and that such documents should have been read at them without any official copy or note or memorandum of them being retained? They were told, that both Ministers were in a hurry, and the one hardly recollected what the other said. He was surprised beyond measure that his noble friend should have listened to a document like that to which he referred, and not have demanded instantly a copy of it.

The communication was said to have been made at five o'clock on the Friday evening. Would Gentlemen recollect how they had come down to that House, on that evening, in great numbers, expecting to hear something most momentous, and would they recollect the great anxiety of London and Westminster at that moment? He would assert, that he never recollected to have seen the public mind more agitated by any public event than upon the subject of the information then believed to have been received from Belgium; and yet even then, when public expectation was upon the tiptoe—when the noble Lord himself was in wonder at having received no communication from the Dutch Government—at that moment was it not to be expected that when the Dutch minister did at length come to make his statement, he would have been received with anxiety—he would have been heard with attention, and his statement would have been sifted with the closest accuracy? At that important moment he came with an important document—with a despatch from his government; yet instead of his noble friend saying, “thank God, here is the Dutch minister to put an end to this suspense,” he listened to the Minister with such nonchalance, and the document was read in such a hurried manner, that his noble friend not only did not know the contents of it, but did not even recollect that such a transaction had ever occurred; and when at last it was forced upon his recollection, it appeared that the thing was considered so trivial, that his noble friend did not know whether the occurrence had taken place on a Friday or a Saturday. This was a fit prologue to what followed. The second letter, which went in at one ear and out at the other, was more formal than the first; it was an appeal by Holland to the whole of Europe, in defence of her conduct—it repeated some of the same expressions—it was addressed not merely to the Dutch Ambassador here, to be laid before the Conference, but it was directed to the Governments themselves. It would travel to St. Petersburg—it would be sent to Vienna—it would be despatched to Berlin—it would be conveyed to Paris, and it was therefore drawn up with greater care, and with more formality, than the letter of the 1st of August; it ought, therefore, to have attracted the attention of the noble Lord. But besides these claims to

notice, it explained the meaning of the first letter—it said, “The King is determined to support his negotiations by military means.” Why, this was the same expression which it seems had puzzled our Cabinet and the Conference in the first letter. He, therefore, the more wondered at the inarticulate hurry of the Dutch minister, and the impatient haste of his noble friend. “Military means” was a catch-word that should have struck the ear of his noble friend—for his colleagues of the Cabinet and himself had been for twenty-four hours debating what *moyens militaires* meant, and they had resolved that it meant—nothing at all. It was a misfortune that they did not understand it better; for at the Conference there was a person who had the reputation of understanding pretty well the meaning of words, and especially of French words; but unfortunately that person, among his other great qualifications, was not a proficient in the English language, and it was probably through that circumstance that he induced the Conference to believe that the words *moyens militaires* meant nothing at all. He was bound in justice to his noble friend’s character to believe, that he had not spoken with this indifference of the letter with any intention to deceive; but that what he had said, really arose from an ignorance of the contents of the letter. But surely the words “*moyens militaires*” ought to have awakened his attention; they should have been talismanic words. He should have felt that they haunted him; he should have said, “Let us ask this Dutchman what those words mean?” Perhaps the noble Lord disdained the assistance of a Dutch interpreter; but if he would not ask the Dutchman the meaning of the words, he should, at least, have listened with attention to the rest of the letter. But he had not done so. This letter, about the meaning of some words in which there was so much doubt, had now appeared before the public in good English, done by the hand of that ingenious person—the editor of *The Times*—and whether originally written in good French or good Dutch was now of no consequence. In that letter the king of Holland said, he was sorry he was obliged to have recourse to coercive measures, but that he had been compelled to do so, and that this was “the more indispensable, because the existing crisis could not be prolonged without at once endangering our

public spirit, our finances, our army, and our political existence.” He would not enter into the question, whether the king of Holland was right in the view he thus took of the matter. It was sufficient to show that such was his view, and that he had fully and frankly explained it to the Governments of the five Powers. The letter then went on to show that Holland was under no obligation not to proceed in its own course, by commencing hostilities if it pleased; the letter entered into a vindication, in detail, of the conduct of the Dutch government in doing that which it was now accused of doing without notice. It then stated this conclusion—“Thence unquestionably the king’s resolution to move his army *simultaneously* with the negotiations carrying on in London, ought not to inspire disquietude—and was, in fact, indispensable to the safety and honour of his country.” And yet, notwithstanding this letter, this full and distinct notice previously communicated both in writing and verbally to his Majesty’s Ministers, Parliament had been told by those very Ministers, both on Friday and Saturday, that the attack upon Belgium was a surprise, that Ministers were taken wholly unawares, and that no notice had been given of the attack, though the letter just quoted had been read to the Prime Minister and the Secretary of State for Foreign Affairs, and in that the king of Holland stated his determination to assist his negotiations with his sword. Even on the subsequent day it was stated, in another place, that *moyens militaires* did not imply an immediate hostile operation, but meant merely a demonstration. He must confess, that his understanding was in despair before such contradictions, and that he could not comprehend them. His noble friend, and the rest of his Majesty’s Ministers, were too high-minded men to wish to practise a delusion; but he must candidly say, that he could not understand their conduct in the whole of this affair. He was well aware what diplomacy generally signified; translated into plain English, it meant double-dealing, and he knew it had been held that double-dealing was justifiable in diplomacy. He admitted, that a Minister, in the performance of his duty, might refuse to answer questions propounded to him in either House of Parliament, if he thought the answer might prejudice the public service; but if he did answer in the House of Lords—if

he did condescend to reply in the House of Commons—there should be no diplomacy, no double-dealing, in his statements in either of those places; with discretion, prudence, and reserve on the part of British Ministers no one could find fault, but when they did speak it should be with perfect candor and generous sincerity. Such was the history of this extraordinary affair—such was the history of “the three great days” of the noble Lord, in which he had defeated the Dutch Minister—had exposed on the gibbet of infamy the Dutch character—and for his triumph he had to exhibit the occupation of the fortresses in Flanders, won with English blood, and built with English money, by the tri-coloured flag of France. That tri-coloured flag had not triumphed more in the three days of July last year at Paris, than in the three days of August this year in London. At times like the present, when the dependence of Government on public opinion was one of the prevailing dogmas, it was most necessary, that national character should stand high, and charges ought not hastily, nor carelessly, or without the strongest reasons, to be made against a nation. At a moment when public principle was so much esteemed, and when the government of France was said to be entirely founded upon it—at such a time, he repeated, the Dutch ought not gratuitously and unjustly to have been censured and maligned. That the Dutch government had been unjustly and injuriously lowered in public opinion by errors and misstatements of his Majesty’s Ministers, he would now prove. He would appeal to one of the organs of public opinion; he thought he might do so without offence; for, however he might differ from it as to the extent to which it was an organ of public opinion, or as to its right to take upon itself the expression of public opinion, he might venture to appeal to the hon. Gentlemen opposite, that, at least, he did not select his evidence with any undue partiality. He would read the successive opinions of the able and influential newspaper to which he had already referred, in order to show what was the state of public opinion on this subject. The right hon. Gentleman smiled, and he might smile, if he (Mr. Croker) were to quote *The Times* as an authority on general questions of politics; but he was not looking at it in that light, he quoted it as authority *ad hoc* as being the organ

of public opinion the most favourable to the politics of his Majesty’s Ministers; and, therefore, the best evidence of the effect their statements were calculated to produce, and although, therefore, he might not be inclined to consider it the best authority in morals or politics, he thought he could hardly select a better guide for the news or a better criterion of the public feeling of the day. Well, then, let them hear what *The Times* said, when this atrocity of Holland first burst out with such a sombre and suspicious appearance. “The whole conduct of ‘our ancient ally’ for the last twelve months, seems better to accord with the unfortunate condition of *moon-stricken madness*, than with the character of a prince whom we had been accustomed to treat with respect and confidence, for the previous fifteen years.” Madness, however, was pitiable and excusable; but the same could not be said for “falsehood,” with which the same Paper, on the same day, went on to charge the king of Holland:—“His Dutch Majesty, in his obstinate adherence to his old prejudices, or his eagerness to gratify his personal spleen, has entered upon a *dishonest* course, and is playing a very dangerous game. His conduct displays such strong symptoms of *duplicity* and *falsehood*, that it must forfeit the support and favour of England, which has hitherto been his chief protection.” As to the “duplicity and falsehood,” he had shown there was no ground for such a charge, beyond the noble Lord’s neglect of the letter of the 1st of August, and his forgetting the letter of the 2nd of August; and the threat founded on this misunderstanding thus denounced against Holland, that her king, by his conduct, must forfeit the favour and protection of England was a most important and alarming menace. Louis 14th at the gates of Utrecht, Buonaparte in possession of the city of Amsterdam—could be scarcely more fatal to Dutch interests and infinitely less injurious to Dutch character than this authoritative assertion, that “the falsehood and duplicity” of their king must forfeit for them the favour and protection of England, who, he might almost take the liberty of saying, had been the mother and the nurse of the liberties and prosperity of Holland. So exactly did those sentiments of the editor of *The Times* seem to accord with the opinions of Ministers, that it might almost be supposed they had condescended

to pen the paragraph—and no great condensation neither, for those articles were written with more consistency and logic, and, as it afterwards appeared, with more candour and judgment, than had been displayed by Ministers in their speeches on the same subject. The article to which he was alluding, further said, “At the very time that the Governor at Antwerp is declaring the armistice at an end, and threatening a bombardment of the city, in which some of his countrymen would be the chief sufferers, he (the king) has sent an extra Ambassador (M. Zuylen von Nyevelt) to London, to re-open the negotiations with the Conference. This Special Ambassador, ostensibly sent to negotiate in order to secure the peace of Europe, suppresses, of course, all mention of his master’s hostile intentions and preparations. What useless perfidy!” *The Times*, it seems, knew, that a Special Ambassador had been sent, and for what purpose. “This Special Ambassador, ostensibly sent to negotiate, in order to secure the peace of Europe, suppresses, of course, all mention of his master’s hostile intentions and preparations:” almost the identical words repeated by the noble Lords opposite, twice, thrice, and even four times over on different evenings; and it terminates the tirade with the exclamation, “What useless perfidy!” All the collected venom was reserved for this last shaft—the confident and slanderous assertion, that the king of Holland had been guilty of “useless perfidy.” The same able Paper went on on Monday (and no wonder it should go on, considering what had passed in Parliament on Saturday), in the following strain. [*Some symptoms of impatience were here expressed.*] He was not surprised at this interruption, for he knew how unpleasant it must be to some Gentlemen to hear the king of Holland defended, and he also knew, that about that hour, (nearly seven) hon. Gentlemen were wont to indulge in a different and more palatable species of entertainment; nevertheless, he would read to those who would do him the favour to remain, and please to give him their attention, what *The Times* said on Monday:—“While (said *The Times*) the king of Holland was pretending to revive, or continue with the five great Powers the negotiations for a pacific settlement of his disputes with Belgium, he was at the same moment, and without any announcement to those Powers, actually marching

his troops into the Belgic territory, for the purpose of taking by force into his own hands the very questions which he professed to submit to their friendly arbitration.” That assertion then was made, though the fact was, that Ministers were in possession of a double announcement of the intentions of the king of Holland. From thence the Paper went on to censure the foul, audacious, and offensive course of the king of Holland, and to reiterate the charges of phrenzy, depravity, and falsehood. It said—“Many presume that the king of Holland, in his perfect knowledge of the spirit by which all France, like a single man, is actuated, would not have dared to adopt his violent, audacious, and offensive course, without a full assurance of support from some powerful military quarter. We are not satisfied of the justice of such conjectures. The question lies between utter phrenzy in the head of the House of Orange, and an excess of perfidy and depravity in one or more of the Powers, parties to the Protocols, which we acknowledge seems to us the most incredible of all solutions of the difficulty.” Such was the state of public opinion—such the degree of inflammation; and he quoted what he had read as an indication of the way the wind of public sentiment set. Such was the state of affairs when that very able—and to give it due praise—that very diligent Paper, contrived to get possession of one of the letters. He would now advert to what was said in *The Times* of yesterday [*murmurs*]. He heard some Gentlemen murmur—no wonder: they knew that he was about to shew that the editor of *The Times* was better informed of what had passed in Downing-street than their noble leaders, the Prime Minister and the Foreign Secretary. He was tracing by the newspaper the course of public opinion—and what did it say yesterday? *The Times*, then, of yesterday, said—“The king of Holland, it appears by Tuesday’s debate, has been charged with something not far short of perfidy, for attacking Belgium without notice of any design.” Such was the gloss put upon the business by public opinion. “But (continued *The Times*) the Duke of Wellington affirmed, that his Dutch Majesty had apprised the Conference, time enough for such an interposition as might have stopped the march of the French troops, that he did intend to support his negotiations by arms. This was denied in the House,

and on high authority;” (let Gentlemen mark what followed)—“it being alleged that none of those who had access to the Dutch King’s letter, could agree in giving it such an interpretation. We have now the terms of the despatch before us, and those of our readers who can ferret out mysteries where we, for our part, do not see any, are now at liberty to judge for themselves.” After having quoted the letter, with which he should not trouble the House, *The Times* proceeds to say—“Now, from the above and other passages of this remarkable letter, we are compelled to say, that the king of Holland cannot, with any fairness, be accused of an intention to disguise from the Powers in Conference, the nature of his hostile policy towards Belgium.” He had, it should be remembered, been previously charged with treachery and falsehood. “The king (continued *The Times*) said, that he had resolved on employing arms simultaneously with negotiations, at the very time when he was sending M. de Nyevelt to this country, who, in fact, was the bearer of this very letter. On the point, therefore, of alleged bad faith, he appears to us to be altogether blameless.” In selecting these observations from *The Times*, he could not be supposed to intend any attack on this organ of public information: on the contrary, the moment the letter alluded to was seen, it hastened, with great candour to declare its belief, that on the point of bad faith, the king of Holland appeared to be extremely blameless. But such were the shifting grounds on which public opinion was formed. Now he would ask, whether the keeping in obscurity, for some days, such documents as these, did not occasion the injustice and calumny against the king of Holland, which were so fully refuted when the documents came to be produced? He demanded whether, on reading these documents, every Gentleman’s mind was not relieved from a great weight, and whether he did not now more favourably appreciate the character of the trust-worthy and excellent monarch who had been so much misrepresented? What he (Mr. Croker) complained of was, the suspicious silence of Ministers when they might have explained; and their imperfect explanation, when they ought rather to have been silent. They could not have done any injury to British interests, if they had acted towards the king of Holland with that fairness and candour which they would have extended

to the Gentlemen on that (the Opposition) side of the House, though their political antagonists. They ought not to have let the Dutch monarch lie under so grievous an imputation for several days—they ought not to have left it to a public Journal to be the arbiter of his conduct, and to unsay what had been gravely stated by his Majesty’s Ministers. They had done him grievous injustice—by error, by inattention, or by negligence—he would not say which, but the injustice had been done by them, and they ought to have shown a candid readiness to repair it which they had not done: and his object was, to oblige them to do so, or, at least, to put the public in possession of the facts, on which the full and complete justification of the king of Holland was established. He apologized for having troubled the House so long, but he was anxious that this question should be placed on its proper basis. In bringing this question forward, he had alluded to no document which was not to be found in the public Journals—he had not anticipated events—he had spoken only of things that had already been done. He had, he conceived, made out a case, and showed, that injustice—cruel injustice—had been done to the king of Holland. He had, he thought, made out a sufficient case to call on his Majesty’s Ministers to explain the share they might, perhaps involuntarily, have had in creating that injustice. It was not his intention to ask for the letter of the 2nd of August, which the noble Lord did not appear to carry in his head, much less should he expect to find it in his office. He should therefore move as an amendment to the Motion, “That the Order of the Day for the House to resolve itself into a Committee of the whole House, to consider further of the Bill be now, read:”—to leave out all the words after the word “that,” in order to add the words “an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House, a copy of a letter of 1st of August, from the Minister of Foreign Affairs of the kingdom of the Netherlands, to the Minister of the five Powers.”

The original question being put,

Viscount Palmerston said: The right hon. Gentleman concluded by saying, that he would not finish his speech with an epigram, but he seems to me to have made something very like a bull: wishing

to prove something by a letter of the second of August, he moves for a copy of a letter of the first. I think the House has seldom heard a more discursive speech, or a more illogical conclusion. I shall not be able to comply with the right hon. Gentleman's wishes, for obvious reasons; for, although the paper may have been printed in the public journals, we cannot pick out this document from the rest, unless we are prepared to submit to Parliament the whole series, displaying the entire course of the negotiation. I am not about to enter into any explanation, much less into any defence, of the numerous and long quotations the right hon. Gentleman made from the newspapers. I can assure him that I, for one, do not write in the newspapers. I am neither editor nor part proprietor of any newspaper, and I do not pretend to be responsible for anything that appears in those channels of information. Another thing: I shall not be led away from the path of my duty by the attacks of the right hon. Gentleman, however they may have been accompanied by the most unreserved declarations of personal friendship. He has certainly taken a very extraordinary (though, possibly, to him, satisfactory) mode of displaying his regard for me. He has indulged himself, if not the House, with a speech of at least an hour and a half; two-thirds of that time having been occupied very agreeably to him, and certainly not at all disagreeably to its object, in personal attacks upon me. He has laid to my charge all sorts of misconduct, both as an individual and as a Minister; with carelessness out of office, and negligence in it—with betraying the interests of my country—with injustice to an independent sovereign,—and other trifling offences of the same kind; but they were prefaced by the most flattering demonstrations (as far as declarations can be so considered) of personal esteem and respect, with the evident design of drawing me into a discussion of the whole Belgian question. He did what in him lay, by provocation, accusation, and, by what is worse, exculpation; for I can forgive him anything better than the tender mercies of his exculpation; but were I to advert to many of the points he has touched, I must necessarily enter into the whole of the transactions—a course which, as a Minister of the Crown, I feel myself bound to avoid. I think he might have acted with greater credit to himself, and with

more advantage to his country; but it seems, that in the absence of the principal performers, he has been to-night allowed a whole benefit to himself. He has given us a display, part tragedy, part comedy, and I wish I could encourage him by stating, that he sustained each portion with equal success. Everybody knows, that he is an excellent joker—and while he confines himself to the light and comic strain, he makes himself agreeable to everybody; but he is not equally successful in the tragic strain; and if I may be allowed to do so, I should recommend him in future to stick to farce; but however well he may have performed his part, I apprehend that he would better have performed his duty as a Member of Parliament, if he had acquiesced in the course so judiciously pursued by the hon. Baronet (Sir R. Vyvyan), who postponed the discussion of these transactions at this most important and decisive crisis. I leave him, however, in full possession of whatever advantage he may gain by this forward movement—this resumption of hostilities—this breaking of the armistice; but he shall not drag me into a debate upon the conduct of the king of the Netherlands, or into a defence of our own. If I could prove, that the Dutch King had acted in an unbecoming manner, I should refrain from doing so, because I feel, that he has been unfortunate, and that he is therefore entitled to respect and forbearance. I had, therefore, rather lie under the whole weight of the right hon. Gentleman's imputations—the heavy burthen of his charges—than run the risk of doing that which might be considered unhandsome by the king of the Netherlands. I beg to say, that I never charged his government with perfidy. I stated facts to the House, not opinions; and I again say, that I am not answerable for the extracts which the right hon. Gentleman has employed his leisure in culling from the newspapers. I shall not follow him through the statements he has made; but the fact is, that while the right hon. Gentleman and his friends were in office, previous to the 17th November, an armistice, or a suspension of arms, was agreed upon, which has now been broken by the Dutch government. I will state the fact, and leave it to others to draw the inference. When did the Dutch king renew hostilities? On Tuesday, the 2nd of August; and yet the right hon. Gentleman asks, "Can you pretend that you had no notice

that they would be renewed, when, on the Wednesday following, a letter was read to you, communicating the fact?" This may be the right hon. Gentleman's method of reasoning, but it is a strange application of the ordinary rules of logic, to contend that a notice of an event is to be given a day after the event has happened. I can only say, that if he pursues such a course in this House, and gives his notices of motions the day after he has made them, he may certainly obtain decisive advantages over his adversaries. That advantage the king of Holland expected to obtain; for the fact is, that his notice of intending to break the armistice did not arrive until after it had been broken. What are the words in the letter of the 1st of August, on which so much reliance has been placed? "That the king will support his negotiations by his military means." First, as to the manner in which this supposed notice was given. The right hon. Gentleman expresses his astonishment that any man with two eyes in his head and two hands at the ends of his arms, could keep a letter, directed to another person, in his pocket for twenty-four hours without knowing what it contained. I do not know what might be the official habits of the right hon. Gentleman; but this I know, that what he recommends are not mine. If I, as a member of the Conference, receive a letter addressed to the Conference, I do not think myself justified in opening it but in the presence of the other members. "But (says he), how could a Minister of England, at such a perilous moment—when the fate of Europe was hanging not on hours but on minutes—receive a communication, brought by a special messenger, by the Lightning steam-boat, and keep it unopened until the following day?" This was, by the bye, his best piece of pathos, but it wanted the foundation of fact. The Conference had invited the king of the Netherlands to send a Plenipotentiary to negotiate a treaty of peace; and if, in reply, his Envoy had said, "My master will not treat, but fight, and here is a letter explaining his motives"—I should have lost no time in summoning the members of the Conference to receive so important a communication. But what did the Dutch minister say in half an hour's conversation?—that he had come to negotiate peace, and that his powers were so ample, that he hoped to be able to conclude a treaty, without a reference even for further in-

structions. At that time also, he delivered the letter of August 1st; and although he certainly stated, in some detail, the grievances of his master as regarded Belgium, he parted from me without giving me the slightest reason to suppose that, twenty-four hours before, the Dutch troops had entered Belgium. So far, therefore, I think I have satisfactorily explained why I did not then proceed with Dutch haste to summon the Plenipotentiaries to the Conference. If I had summoned them, what effect could have been produced? We cannot judge by the result, because, on Wednesday evening, an account was received in London from Sir Charles Bagot, that the Dutch army had marched, and therefore that fact was known before the letter of the 1st was opened. But the experiment was tried on the ministers at the Hague; for this letter, which, the right hon. Gentleman says, is such a clear announcement of hostilities, was successively put into the hands of the ministers of the five Powers at the Hague; and, without any thing in the air of that place peculiarly to blunt or obscure the faculties, it did not occur to them that it indicated the march of the Dutch forces. When our Ambassador at the Hague heard, in the afternoon, from a private source, that the troops had crossed the Belgic frontier, he went to the Dutch minister, and, in answer to his demand for explanation, was informed, that hostilities were actually begun. The resumption of hostilities took place, in fact, at the very moment when the Dutch government was sending a minister to negotiate. "But," exclaimed the right hon. Gentleman, "what did the French minister do upon this same occasion? The telegraphs were put in motion, and, with the speed of light, the French troops were put in motion too." Give me leave to tell him, that the English minister was not much less active. The news of the march of the Dutch troops was received on Wednesday evening, and on that very night, the First Lord of the Admiralty despatched an express to the Fleet under Sir Edward Codrington, ordering it to the Downs, that it might be ready to act as circumstances required. Did we wait for the reading of the sealed letter of the 1st of August, or for the most un-Dutch reading of that of the 2nd of August by the Dutch ambassador? No; the measures that seemed

indispensable were taken on the instant. What becomes then of the cobweb sophistry of the right hon. Gentleman? Its flimsiness is blown to atoms by a mere breath? He has been as mistaken in his facts, as he has been illogical in his reasoning? The fact of the resumption of hostilities was communicated to the Conference on Thursday, and what was thought necessary was then done. Thus, I hope I have answered, as far as my duty will allow, the very friendly charges of the right hon. Gentleman; but let me remark, that there cannot be a more unfair position for a Minister of State to be placed in, than to be put upon his trial by personal accusations, and to have his lips necessarily sealed against the disclosure of facts most necessary to his vindication. Let me observe, however, that when the letter of the 1st August was read, in Conference on the Thursday with the passage about supporting negotiations by military means, I thought it my duty to ask the Plenipotentiaries, not one, but both, whether they knew the fact that hostilities had begun? They replied, that as individuals, they might know much, but that, as ministers, they had no official information to communicate. I inquired whether they had any explanation to afford as to the meaning of that passage? and their reply was, that they were not instructed to give any explanation. I am not accusing the Plenipotentiaries of any thing like improper concealment; they were sent to negotiate, not to announce that hostilities had actually commenced. The right hon. Gentleman has triumphantly said, that if our intellects were so obtuse as not to understand the words "military means" as a renewal of war, there was the Dutch minister, why was he not asked the question? Why, Sir, he was asked, and I have told the House his answer. With respect to the manner in which the letter of the 2nd day was communicated, the facts were as follows: on my way to the House, on Friday, I called upon my noble friend at the head of the Government, and I found with him one of the ministers of the Netherlands; and, after much conversation, and just as we were about to repair to the House of Parliament, the minister took out the letter, which has appeared in the newspapers, and read it hastily. Perhaps it ought to have made a greater impression on my mind; but it was not addressed to the English Government, and the minister had

no intention to deliver a copy of it. Of course, it is not in my possession, and if the right hon. Gentleman had moved for it, I could only have returned *nil*. I confess that, when the question was put to me last night, that letter was not present to my mind; but, now I remember it, I am at a loss to see in what respect it alters the case. A communication on Friday could not, except by the convenient logic of the right hon. Gentleman, be regarded as a notice of an event that had already taken place on Tuesday. The mode of reasoning of the right hon. Gentleman, would, indeed, have been greatly aided, if the Dutch minister had not read that letter to my noble friend and myself until a week after the march of the army for the Belgic frontiers. Then, indeed, we must have been deprived of all possible defence, and the right hon. Gentleman would have enjoyed a signal triumph of his peculiar logic. As I said in the outset, I will not enter into the general discussion: the time has not yet arrived when we can do so without prejudice to great pending interests; and if this were true some days ago, it must be doubly so now, as all must be aware who read the newspapers—the pleasant, but profitless study of the right hon. Gentleman. Any man who looks at the mighty events now passing in Europe—any man who has even the slightest knowledge of business—not the long official experience of the right hon. Gentleman—who is governed by good sense, and not misguided by passion—must be aware, that an attempt to drag me into debate may afford an opportunity for the gratification of personal vanity, when the appointed leaders and officers of a party are absent, or for the display of personal friendship, but it will not receive the public approbation; and an individual who adopts such a course will not perform good service to his country.

Lord *Brudenell* expressed his regret that the bias of the minds of Ministers was clearly against the king of Holland, although he saw nothing reprehensible in his conduct. As a Member of the English House of Commons he would say, that the first shot fired by the British forces, on land or water, against our ancient ally, would be an indelible disgrace to the country. He thought it impossible that any Ministers, filling the situations of responsible advisers of the Crown, could, at the present moment, more completely lay

themselves open to the accusation brought by his right hon. friend, than did the noble Lords and right hon. Gentlemen opposite. They had been guilty of the grossest injustice towards our old and faithful allies, the Portuguese in the South and the Dutch in the North—a French fleet occupied the Tagus, and the tri-coloured flag was planted in the soil of Holland. He lamented to say, that the conduct of the British Ministry had been inconsistent with itself, and marked by a levity unworthy the executive government of a great country. He thought the House and the country had a right to complain that Great Britain should have lent her sanction to the entrance of the French fleet into the Tagus. Passing from that subject, however, he would put this question to the right hon. Gentlemen opposite—why had they done nothing to assist the Poles? But there it would seem that we should have had to deal with a different sort of enemy. It was one thing to abandon a weak country like Portugal or Holland, and quite another to encounter so formidable a power as that of Russia. The fact was, and he confessed it with humiliation, that the tendency of our foreign policy now was to oppress the weak, and truckle to the strong. It must be full in the recollection of the House, that noble Lords and right hon. Gentlemen were in the habit of quoting Lord Chatham's remarkable words, "that if that House did not reform itself from within, it would be reformed with a vengeance from without." In his apprehension, there was nothing so ill became the present Ministers, as quoting the celebrated Lord Chatham. If that distinguished Statesman lived in the present times, he certainly would never have gone the length of the present Reform Bill, however strong his views might have been on that subject. But be that as it might, the bare mention of Lord Chatham's name was a reproach to the foreign policy of the present Administration. In the days of Lord Chatham England was respected by all the nations of Europe, but in these days she had abandoned all her ancient principles, and ought to blush at the name of Chatham—she had abandoned her old and faithful allies, rushing forward to grapple with the weak, and perfectly ready to truckle to the strong. If this system were continued, the English name would be a by-word for all that was base and dishonourable.

Lord *Eliot* could assure the House, that he did not rise for the purpose of saying a word about Portugal, or Russia, or the Poles, or parliamentary Reform. Indeed, after the assurance which the noble Viscount (Viscount Palmerston) had given that the explanations sought on that side of the House could not be afforded without injury to the public service, he should not have troubled the House with a single remark, had it not been for the circumstance, that the noble Viscount had himself departed from that reserve which, on a former evening, the noble Viscount told them he could not break through. The only point on which he desired to offer any observation was this—the noble Viscount had fixed upon the king of the Netherlands the stigma of the want of good faith and honour. He did not think this stigma just. It appeared from documents which had been published, that the king of the Netherlands clearly intimated, that he should, under certain circumstances, have recourse to hostilities. It was, therefore, a question of policy merely, and not of right, whether the king of the Netherlands should have recourse to hostilities or not. The king of the Netherlands had put this hypothesis—namely, that if a foreign prince should come as sovereign of Belgium, under certain circumstances, he would have recourse to hostilities against Belgium. But, besides this stigma, which, if he had read the documents rightly, was not justly laid upon the king of Holland, the noble Lord had appeared to him to deal in innuendoes against that prince. The noble Lord had given them to understand that the Dutch Plenipotentiaries, upon being called on to explain what was meant by *moyens militaires*, had declined to do so. Now his authority might not be very good—and if it were wrong, perhaps the noble Lord would correct it—but he had it upon authority that one of the plenipotentiaries distinctly stated—"We (meaning the Dutch) are at war with Prince Leopold." He would not detain the House any longer, and he should not have said thus much if the noble Lord had not departed from that precept, which on a former occasion the noble Lord had prescribed to himself and others.

Lord *Stormont* would not persevere in the motion of which he had given notice, but he wished to ask his noble friend, whether a communication had not been made on the part of the king of Holland,

so far back as the 23rd of June, the effect of which was, that, if a king were put upon the throne of Belgium without a treaty—the terms of which were defined—being signed—the king of Holland would have recourse to military measures (he was not sure whether the words “military measures” were used—or whether the phrase was “coercive measures,” or something to that purpose) in order to support his rights? There was another point to which he wished to call the attention of the House, namely, that on the 1st of August, the noble Lord opposite (the Secretary of State for Foreign Affairs) was in possession of a sealed communication of the utmost importance, as it turned out, which he retained unopened for twenty-four hours. Under the circumstances, the noble Lord might well have supposed, that it contained matter of importance; it might, therefore, very naturally be supposed, that the noble Lord would not have lost a moment in calling together the members of the Conference, and ascertaining its contents. It accordingly could be no matter of surprise, that his right hon. friend should express his surprise, that the communication in question should so long have remained unopened. There could be no sort of doubt, that in the whole of these matters, the noble Lord opposite had taken things too easily; and he felt perfectly assured, that the occurrence referred to, ought to be a lesson for the noble Lord, from which, it was to be hoped, that in future he would profit. If another occasion of the same sort occurred, he would venture to predict, that the noble Lord would take special care not to lose a moment in summoning a Conference. It was quite a mistake in the noble Lord to suppose, that his right hon. friend meant to blame him for not opening the seal of the packet. The complaint was, not that the noble Lord was unwilling to break the seal, but that he neglected to call the Conference together, for the purpose of ascertaining the contents of these documents. The noble Lord, and his right hon. friend, were educated in the same official school, and the House must know, that to break sealed communications, was not the practice of that school; and, therefore, he was justified in assuming, that his right hon. friend would be as slow to recommend, as the noble Lord himself could be to adopt, such a practice.

Sir George Murray did not wish to prolong this discussion, but thought, that the subject was one of sufficient importance, to justify him in making a few observations upon it. The noble Viscount (Viscount Palmerston) had complained, that he was put upon his defence, at a time when it was utterly impossible to produce the documents that were essential to that defence. But, had the noble Viscount dealt in the same manner with another party? Had not the noble Viscount acted towards the king of the Netherlands in the very way which he complained of, when that way was pursued with regard to himself? Surely the noble Viscount had so acted, in bringing a direct accusation of bad faith against the king of the Netherlands. On Saturday last, the noble Viscount said, that an “armistice had been broken,” and afterwards, that “an armistice had been violated,” by the king of Holland. That was certainly a very grave charge against an old ally of the country; and when his right hon. friend, the member for Tamworth (Sir Robert Peel), put it to the noble Viscount, whether those expressions were not too strong, and whether they might not have been used inadvertently, the noble Viscount adhered to them, observing, that there had been two armistices, the latter of which had been broken, and adding, that up to the moment in which he was speaking, no official notice had been received of an intention to break it. On the following Tuesday, the noble Viscount, stated, that no communication had been made by the Dutch minister to the noble Viscount, or to the Conference, either verbally, or in writing, which could give them ground to suppose, that the Dutch troops were to be moved beyond the limits of their own territories. He heard the noble Viscount state this in that House; and in another place, a few minutes afterwards, he heard it stated, that the Dutch king had communicated his intention of using military means. Now the document in which this expression “military means” was used, he could interpret only as a document, which distinctly announced, that the Dutch king intended to employ his army in support of negotiations, on which, during their continuance of nine months, the Dutch king had found, that his interests were invariably made subservient to the interests of Belgium. Under these circumstances, he

could not understand how this Government could say, that no notice had been given of the king of Holland's intention to break the armistice. Let the House also observe what the Dutch minister said to all the Ministers engaged in the Conference. The Dutch minister said, "as the plan of establishing an armistice has never been realized, there exists only a cessation of hostilities." Thus the chief Minister of Holland was at issue with the noble Viscount, and declared, that in fact there existed no armistice, while the noble Viscount declared, that an armistice had been broken. He had also understood the noble Viscount to say, that hostilities, and the letter which had been so much canvassed, were simultaneous, but he confessed, that from all that had been stated, he could not see how there was any ground for this statement. In a word, throughout the whole transaction, he conceived that there was not the shadow of ground for imputing a breach of faith to the king of the Netherlands. He had thought it necessary to say thus much, because the public attention ought to be strongly directed to this matter. For this reason only did he make any remarks, and was so far from having any desire to call for information upon this subject, that he should be very sorry to incur the responsibility of pressing Ministers for documents, the production of which, Ministers declared, would be injurious to the public service. He fully admitted, not only that the Ministers were justified in withholding such information, but that it was their duty to withhold it. Still, however, he did think, as public attention was directed to these things, that it ought to have the means of judging correctly. He thought also, that the public attention ought to be directed to the recent transactions with regard to Portugal—another old ally of this country—because there was an appearance, that our policy in those transactions was subordinate to that of a neighbouring power—he meant France—a power of which he should be the last man to speak with disrespect, especially so far as regarded that part of it which consisted of the profession to which he belonged, the military part of it. It was very possible, that when the proper time arrived, the Ministers might be able to adduce a sufficient ground of justification of their conduct. He had no right to doubt, that the Ministers could adduce

grounds which would justify them; yet, let him tell them, that it would be necessary to adduce very strong grounds indeed, to satisfy the British nation of the propriety of a British fleet performing evolutions in the Channel, when a French fleet was forcing the harbour of an ancient ally of England. With regard to the separation of Holland and Belgium, he had no hesitation in saying, that he felt no objection to the disunion of those places which had been united in 1814 and 1815, if such disunion were expedient, and if the disunited portions of the kingdom of the Netherlands were protected against the encroachments of France. Public rumour had stated, that the British fleet was at the disposal of the Congress. Now he should be glad to know, if the army under General Girard was also at the disposal of the Congress, and if that army would be as easily withdrawn upon an intimation from the Congress, as the British fleet would be upon a similar intimation? It had been boasted in the French King's speech, that Belgium was not to form a part of the Germanic Confederation. He thought, however, that it would have been more satisfactory to this country, as well as more advantageous to Belgium, if Belgium had formed part of the Germanic Confederation, instead of being, as thus announced, wholly dependent for assistance on France. There was another point to which he thought the public attention ought to be directed. The king of Belgium was now exposed to danger, and, if it should unfortunately happen, that that prince should fall, he begged to know, whether any arrangement had been made respecting the appointment of a successor. A French army had now advanced into Belgium, accompanied by that prince who had been the first choice of the Belgians—the prince whom they had originally chosen in preference to king Leopold; and he wished, therefore, to know whether, in the event of such a misfortune as that to which he had alluded, occurring, such steps had been resolved upon, as would secure the independence of Belgium, and prevent that country from falling into the hands of France. In conclusion, he had only to observe, that although the Congress was not responsible to that House, yet, that there was in the Congress a British Minister, who was responsible to the House, and whom the country would expect to do his duty, thereby keeping up the character

of England as the protector of the weak against the strong, and as a vigilant and efficient check upon the ambition of France.

Lord *Althorp* said, that, after the speech of the hon. and gallant Gentleman who had just sat down, he must, however reluctantly, prolong this discussion by one or two observations. The speeches of the hon. and gallant Gentleman were generally remarkable for candour and for fairness, but he must say that, on the present occasion, the speech of the hon. and gallant Gentleman was remarkable for the absence both of candour and of fairness. For the hon. and gallant Gentleman, knowing and admitting, that circumstances precluded the Ministers from entering, at that time, upon their defence, had thrown out, in the way of caution and suspicion, certain hints and surmises, that the conduct of Ministers had not been consistent with their duty. This, he must say, was most unfair to the Ministers, especially when the hon. and gallant Gentleman had admitted, that the materials of the justification of Ministers ought not to be produced, if the production of them would be disadvantageous to the public service, as the hon. and gallant Gentleman had been told that the production of them would be; and he must further say, that if the public were to be infected with the doubts and surmises of the hon. and gallant Gentleman, which, however, he did not think very likely, the course which the hon. and gallant Gentleman had taken might prove exceedingly injurious to the general interests of the country. He hoped and believed, that the public would suspend their judgment, until they had before them the only certain means of forming a correct opinion upon the whole transactions to which the hon. and gallant Gentleman alluded. Whatever doubts the hon. and gallant Gentleman might entertain, as to the Ministers having acted consistently with the honour and the interests of the country, he trusted, that the country would entertain no such doubts, and that the House and the country would recollect, that these doubts had been stated at a time when the hon. and gallant Gentleman who had stated them, knew and admitted, that the means of refuting them were necessarily withheld. He would not detain the House by advertg to a single topic of the speech of the hon. and gallant Gentleman; but he had thought it necessary, as well for his

own character, as for that of his colleagues, publicly to protest against those doubts and surmises to which the hon. and gallant Gentleman had thought it so essential that the public attention should be directed.

Sir *George Murray* thought, that the noble Lord had a little overstated the observations which fell from him. He had stated, that the Ministers might have full means of justification, that he hoped they had, and that he had no right to doubt they had, and would produce them at the proper time.

Mr. *Praed* expressed the regret he felt that no information had been afforded by the noble Lord, and no explanation given, of the extraordinary course which the Ministers had pursued in the cases of Portugal and Belgium. Three charges were made against the noble Lord by his right hon. friend (Mr. Croker), and these charges, relative to the statements made by the noble Lord, were, that the noble Lord had said, that the armistice was broken—that no notice of breaking it had been given—and that the king of the Netherlands had acted in a treacherous manner. And how were these charges met? He (Mr. Praed) would venture to say, that, in no one of the three cases, had any explanation been given, or had any facts been stated, upon which the noble Lord could rest a satisfactory defence of having made those accusations. After all that had transpired, of the several communications from Holland, and all that had been said by his Majesty's Ministers, it was now clear, as he thought, that due notice had been given to his Majesty's Ministers of the determination to renew hostilities; and yet the impression the former speech of the noble Secretary for Foreign Affairs was calculated to make—and it did produce that impression, was—that Ministers had received no such notice. It was the impression made at the time, as he now thought, most unfairly, in the House, and also throughout the country. He would now ask, whether there was any justification for casting such an imputation as these statements necessarily cast upon the king of the Netherlands? He did not think there was any longer a question, whether a notice had been given or not. That point he looked upon as settled, in the mind of every unprejudiced person; but it was yet a matter of grave consideration, how far Ministers were justifiable in

the censures which they cast upon one of the most ancient of British allies. He hoped, that nothing which transpired, either during the late negotiations, or in the discussions in Parliament, would tend in the least to disturb the friendly relations which had so long existed between this country and Holland; and he hoped that, even now at the thirteenth hour, Ministers would revert to our treaties, and adhere to them, as we were bound, in all negotiations and intercourse with other countries. Of our engagements with these countries, he hoped there would be no breach, and that the good faith and honour of England would be preserved unsullied.

Sir Charles Wetherell said, he hoped that the several Members of the opposite side, who had left the House, had carried with them the conviction that their noble friend had satisfactorily answered all the observations which had been addressed to him; but if they had not thought it necessary to be absent now, and, perhaps, better engaged, conviction in that case might not be so complete. After what had occurred in the preceding part of the Debate, he should not think it necessary to say a word, were it not for a charge made against his right hon. friend, of having alluded, in a tone of asperity, to the noble Lord opposite. Now, he would appeal to the House, whether one word had been said by his right hon. friend, which could, even for a moment, cause an unpleasant sensation, either to the noble Lord, or to any other person. With respect to the main point under discussion, namely, whether due notice had been given by the king of Holland of his intention to resume hostilities, he might be permitted to say a word or two. Having read such of the documents of this negotiation as had been made public; and having listened attentively to all that had been said on behalf of Ministers, he was free to say, that he could not see, upon any principle of the law of nations, or of any code of morality, that in fairness, the king of the Netherlands could be charged with any violation of his engagement, or any breach of armistice. In point of fact, no armistice had existed, and there was no document, no treaty, no paper, nor engagement in existence, by which the king of the Netherlands was bound to give any notice of his intention to recommence hostilities. The charges made against that monarch—unfortunate monarch, as he was called—

was peculiarly cruel when coming from a British Minister. True it was, in one sense, that he was unfortunate, but in what sense could he be considered criminal? It was more criminal, at least it was most insulting, to attempt to trample upon him in his misfortunes. A charge came from the other side of the House, that special pleading had been used by the Opposition. Now, the special pleading was with those who complained of want of notice, when, in point of fact, no notice was required by any existing engagement. It was also special pleading to call a cessation of hostilities an armistice; and he would again confidently assert, that a renewal of hostilities on the part of Holland, was not, in point of honour, or according to the law of nations, a violation of any international duty. If there was any document by which the king of the Netherlands was bound to give notice, the noble Lord might be in possession of it; but he had never heard of any, and under such circumstances, it was most unjust, as well as impolitic, to say, that any breach of agreement was imputable to the king of the Netherlands. He did not wish to enter into any inquiry respecting the sealed letter, which the noble Lord did not seem to think himself justifiable in opening. On that subject, which was one of diplomatic etiquette, the noble Lord was the best judge; but if the noble Lord was on the Opposition side of the House, where, by the bye, he never sat, he might have thought, as he (Sir Charles Wetherell) and some of his friends thought, that a letter addressed to a Conference might have been opened by the head or organ of that Conference; but whether the noble Lord was right or not, or whether the king of Holland had or had not given notice, it would be more becoming the Minister of England to show a feeling of sympathy, rather than of acrimony, towards the acts of that monarch. He admitted that the noble Lord had exercised a prudent discretion in not allowing himself to be drawn into a discussion of the whole of the Belgic negotiations, in the present state of the affairs of that country, but it was not right in the noble Lord, nor in any person, to attack the king of the Netherlands; and to rescue him from such an imputation, was the object, and he thought the successful object, of the Motion then before the House. The situation of that monarch was one of peculiar hardship; he

could not without alarm, witness, the quick march *à cheval* of the French towards Holland. At a call, 20,000 French cavalry, and 30,000 infantry marched to the frontiers. Thus was the safety of Holland endangered, and, at the same time, be it recollected, there was a French fleet in the Tagus, menacing the independence of Portugal. This was a state of things which he could not witness without alarm; not that he meant to charge his Majesty's Ministers with any participation in such proceedings on the part of the French; but he partook of those British feelings which, he was sure, pervaded the whole country, when he expressed a hope that neither Portugal nor Belgium would be ever under the dominion of France.

Amendment negatived without a division.

Upon the original question, "that the House do resolve itself into a Committee on the Reform Bill," being put,

Mr. Croker said, he was sure that if ever there was a case in which the indulgence of a reply would not be denied to an hon. Member, this was that case. He hoped, therefore, that the House would permit him to say a few words in reply to his noble friend on that occasion. He would address his noble friend opposite in the same spirit, and with the same feelings, with which he had commenced this debate, and he, for one, should greatly lament indeed, if, in discussing the acts of the Minister, they should not be carefully and distinctly separated from the individual character of the man. Without wishing to give offence, he could not help saying, that one expression had fallen from him which appeared to have been mistaken by the noble Lord, and with regard to which he was desirous to make an observation. His noble friend had said, that he (Mr. Croker) had managed this evening, in the absence of his natural and appointed leaders, to take a benefit for himself. Though the noble Lord had read him a lecture upon oratory, he would confess, that he thought the metaphor which the noble Lord ventured in this instance, was, to say the least of it, a bad one. He supposed, however, that he must accept it as a benefit. Now, both in making this motion to-night, and in giving notice of it last night, he had taken care to guard himself against any imputation of vanity, such as the noble Lord would fix upon him. He had stated last

night, that it was his wish to make the motion then, and it was only in consideration of existing circumstances, and out of courtesy to the noble Lord, that he had postponed it. He was anxious to give his noble friend notice of the Motion before he brought it forward, and it was, therefore, not for the purpose of having a benefit to himself that he brought it forward this evening. His noble friend, in the commencement of his speech, had been exceedingly facetious in regard to his (Mr. Croker's) country, and his noble friend would give him leave to say, that such sarcasms, not very becoming in any one, came with a particular bad grace from his noble friend who to that country owed his ancestry, his property, and his title. His noble friend had said, that he (Mr. Croker) had concluded a speech of blunders with a practical bull, for that he had moved for a copy of a letter of the 1st of August, while in fact, the letter he wanted was that of the 2nd of August. His noble friend, in making that statement, would seem determined to vindicate his own relationship with that country to which he had just before alluded as the parent of blunders. [*cries of "oh," from the Ministerial benches.*] When he (Mr. Croker) was in office he had always felt it his duty to give a patient hearing to Gentlemen who spoke on the Opposition side of the House. He thought that it was the duty of Gentlemen who were in office to listen with patience to those who spoke from the opposite side of the House, or at least not to interrupt them. Other Gentlemen, independent of Government, might be, perhaps, forgiven a little occasional impatience, but it was not courteous nor decent on the part of members of the Government whose attendance in that House was, he might venture to say, salaried, to act in such a manner. He was going to say, when he was thus interrupted, that his noble friend must have fallen into a most singular mistake; for, after telling him, that he had been guilty of a practical bull in not moving for the letter of the 2nd of August, towards the conclusion of his speech his noble friend had said, that if he had moved for that letter, his return to that motion must have been *nil*. He (Mr. Croker) was well aware of that, better indeed than his noble friend had been when the discussion began; and he therefore had expressly stated in the conclusion of his speech, that he did not move for

the letter of the 2nd of August, because his noble friend had been so inattentive as not to have obtained an official copy of it. He saw, that the letter of the 1st of August was sufficient for the vindication of the king of Holland, and that it was in the official possession of his noble friend, and therefore moved for a copy whereas he knew that the letter of the 2nd of August was not in his possession, and that, therefore, there would be no use in moving for a copy of it. He said, in bringing forward this Motion, that that letter ought to be in his noble friend's possession, and that was, in fact, one of the charges which he had brought against his noble friend. If his noble friend would maintain, that there was nothing in the letter of the 1st of August that could be considered as a notice from the king of Holland, why had he laboured to show that it was not a notice, and that *moyens militaires* did not mean military measures? Why had the noble Earl, (Earl Grey), in another place, endeavoured to show that it was not a proper notice? His argument was, that it was a notice plain in its meaning and in its contents; and that, in fact, it was now universally admitted to be so. His noble friend had said, that he (Lord Palmerston) did not write in newspapers. Such an observation from his noble friend was to him (Mr. Croker) a little surprising, if it meant to imply that, in the moment of relaxation from official business, he would not condescend to employ himself in such an occupation as that; and, indeed, the noble Lord's friends around him, cheered the statement with a vociferation, which appeared to imply that the occupation itself was in some degree a degrading one. Now, what he was about to say, he could assure his noble friend he would say in perfect good humour. He would say, that if that cheer meant to insinuate, that those who wrote for newspapers pursued a degrading occupation—[*Lord Palmerston nodded dissent.*] His noble friend signified that he did not share that opinion, and he should therefore not say what he was about to utter. He might be allowed, however, to observe, in reference to this topic, that if any person should hereafter collect those fugitive pieces which had been attributed to him (Mr. Croker)—with what justice the House would be presently able to judge,—he repeated, that if such a collection should be made, and that the

merit of those pieces should continue to be attributed to him, he should feel it his duty to do justice to his noble friend, by declaring that some of the best and most remarkable amongst them were his (Lord Palmerston's) own. He remembered well the days which he spent with his noble friend, not certainly in business of the grave importance which now occupied his noble friend's time, but in lighter and more agreeable occupations. He recalled with pleasure those earlier days, in which they pursued and enjoyed, not indeed the "search of deep philosophy," that the poet delighted to remember, but—

Wit, eloquence, and poesy;
Arts which I lov'd, for they, my friend, were thine.

His noble friend said, that he had expected him to break the seal of a letter which was not addressed to him, and his noble friend had asked, in what school of morals had he learned such a doctrine? But he had distinctly said, that as his noble friend was chairman of the Conference, he supposed it was usual for him to open the letters addressed to the Conference, and he had asked, if such were the custom, why had not his noble friend done so in this instance? He hoped that that statement would remove the erroneous impression which appeared to be made on his noble friend's mind, that he (Mr. Croker) had asked him to break the seal of a letter which was not addressed to him. He could not help complaining that his noble friend had again in his speech used the words "armistice," and "violation of the armistice," when his noble friend should have recollected, that it was now admitted on all hands that a suspension of hostilities had merely taken place, which was a very different sort of thing. In conclusion, he begged to assure his noble friend, that in the display of ability which he had made in his speech that night, he had done nothing but confirm the high opinion which he had always entertained of his talents, and if, in the bringing forward his motion, any thing which he had addressed to the Minister, had been taken as addressed to the man, his noble friend was completely mistaken in such an application of his observations.

Lord Palmerston assured his right hon. friend, that, when they had thrown away their foils, and had concluded this discussion, the reciprocal thrusts which they might have given each other in the debate would not leave a wound behind.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—TWENTY-SECOND DAY.] The Order of the Day read, and the House went into a Committee on the Reform of Parliament (England) Bill.

The blanks having been filled up in Clause 11, that Clause, enacting that the following counties, contained in schedule G, namely, Chester, Cornwall, Cumberland, Derby, Devon, Durham, Essex, Gloucester, Kent, Hampshire, Lancaster, Leicester, Norfolk, Northumberland, Northampton, Nottingham, Salop, Somerset, Stafford, Suffolk, Surrey, Sussex, Warwick, Wilts, and Worcester, shall be divided into two divisions, and shall return four Knights of the Shire each—was agreed to without discussion.

Clause 10, postponed on the previous night, enacting "That, in all future Parliaments, there should be four Knights of the Shire instead of two, to serve for the county of Lincoln—that is to say, two for the parts of Lindsay, in the said county, and two for the parts of Kesteven and Holland, in the same county; and that such four knights shall be chosen in the same manner, and by the same classes and description of voters, and in respect of the same several rights of voting, as if the said parts of Lindsay were a separate county, and the said parts of Kesteven and Holland together, were also a separate county," was read.

Mr. *Wilks* felt opposed to the principle of the division of counties which had been carried last night, but as that had been decided by so great a majority, he did not think that it would be courteous towards his Majesty's Ministers to press his opposition to this clause. To that principle, however, his objections remained as strong as before that discussion took place. The very reasons assigned by the defenders increased his disgust and alarm, so much had been said about a necessity to support the influence of property, an influence which one great object of the present Bill went to prevent. As these reasons showed that patronage and nomination would be the certain result, he must deprecate the measure, as tending to subvert the very foundation on which the Bill was raised. He, therefore, upon every fitting occasion, would express his regret at the decision which had been come to on this clause. In particular, he must deplore the division of the county of Lincoln, from which he expected vehement contests and disastrous

dissensions. He would endeavour to confine the few observations he had to make to the clause before them. As it had been established that a division of the county of Lincoln must certainly take place, he approved that such division should be made by Parliament, and consist of Lindsay for one part, and Holland and Kesteven for the other, as proposed by the clause, rather than that any other division should be made by Commissioners to be appointed under this Bill, and which he considered as one of its most objectionable parts. He acquiesced in the clause, and the division it would produce, protesting always that while he considered the county of Lincoln fully entitled to four Members, they ought to have been returned by the whole body of freeholders, from an undivided county. Yet he would suggest, that as the Commissioners would not be required to interfere in the division of Lincolnshire, it would be desirable, that nothing relating to that county should be involved in their decisions. By the clause, in pursuance of which they were to be appointed, it was provided, that they should regulate in what towns the elections for the divided counties should take place. To that interference with Lincoln he firmly objected, and proposed that the House should themselves settle the point, by declaring the election of Members for Holland and Kesteven should be held at Boston, the most important town in that part of the county, and very conveniently situated for the purpose, while the elections for Lindsay should be held at Lincoln. He had discharged his duty to his constituents in opposing that principle to which they felt opposed, and he therefore should not, on this occasion, press his opposition to this clause, further than to express a hope, that the suggestions he had thrown out might be adopted.

Colonel *Sibthorp* said, that the county of Lincoln was one, of all others, which required mature and peculiar consideration as to the division of it, to prevent it being reduced to the condition of a nomination borough. In one part, a noble friend of his, for whom he entertained a sincere respect, had a paramount interest; in the other part he also feared something like nomination would prevail; much would depend on the place appointed for the election to be held at; Boston was, in his opinion, an unsuitable place, besides, there was something apparently wrong in the

contemplated division. In Kesteven and Holland, the smaller portion of the county, there were now three boroughs, Grantham, Stamford, and Boston; which, with the two Members for the division, would give eight for that portion, while the larger district of Lindsay, including the city of Lincoln, would have only six. These proportions was a reason why he objected to the division, for it would be impossible to draw any line, giving to the freeholders of the city of Lincoln, the rights and privileges they were entitled to, without, at the same time, saddling them with two-fold rates, one for the city, the other for the county. He did not believe the proposed division had the general sanction of the county. He wished, on this occasion, to correct a misstatement of what he had said, which had appeared in those Journals that were not very favourable to those who spoke on that side of the House where he sat, and where he hoped to continue to sit. It was stated in those Journals, that he was against giving additional Members to the county of Lincoln. So far from that being the case, he had stated, that the county of Lincoln, in point of acres and of population, had as good a claim as any other county that got four Members, to additional Members. He must complain of the interruption he met with. It was hard that those Members who had not partial and friendly Journals, who would write and publish speeches for them, and who would make up for their deficiencies, should not get a patient hearing. He did not write any speeches for the public Journals, and he begged to say, that he would not be deterred by such discourtesy on the part of the Committee, and such partiality on the part of the Press, from exerting what powers he might possess, in support of his constituents. In conclusion, he said, that though only five Members should divide with him, he would divide the Committee on this clause, in order to prevent the county of Lincoln from being converted into nomination boroughs.

Sir William Ingilby would beg to remind his gallant friend of the real state of the county of Lincoln, for he must deny that the division of the county would cause it to fall into anything like the condition of nomination boroughs. He did not deny, that there was a predominant interest in the northern part of the county, but that was not strong enough to control

even that division; on the contrary, he believed that the public feeling and the spirit of honest independence was so alive there, that if that great interest he had alluded to, wished to control the free voices of the men of that division, so far from returning two Members, it could not command the election even of one. In the southern parts of the county there was not any predominant influence—property was equally divided, and there was no power which could suppress the free will of the people. There were, he believed, in Kesteven and Holland more really independent freeholders than in any other equal portion of England; and the same would apply also to Lindsay, where there was a body of 1,200 or 1,500 freeholders, free from any influence, save their own will, and their honest and invincible desire to benefit their country. Now, as to the city of Lincoln being placed in the division of Lindsay, it was hard to say where it ought to be placed, as it, and the villages under its jurisdiction, stood partly in Lindsay, and partly in Kesteven, so that if it had been placed in Kesteven division, his gallant friend might then ask, why it was not placed in Lindsay? As the county was to be divided, he thought that, like the case of Yorkshire, there could not be a better arrangement than that of going according to its ancient and well-known divisions.

Mr. *Hughes Hughes* said, that for reasons which he had stated to the Committee on a former evening, when this clause was under discussion, he had then doubted whether he ought to take the sense of the Committee on the proposed division of the county of Lincoln. If he had then doubted as to the course he ought to pursue, the discussion of last night, upon the larger question, involving the unconstitutional mode of effecting divisions which did not apply in this case, where the division was almost natural, compelled him to say, that he could not support the motion of his hon. and gallant friend, the member for Lincoln. He would urge him, indeed, to withdraw it.

Mr. *Croker* suggested to the hon. member for Lincoln, not to press his opposition to this clause, after the principle of the division of the counties had been decided by so large a division last night.

Lord *Milton* said, the provisions of the clause were, that all the freeholders of the city of Lincoln should vote in the division

of Lindsay. The city extended itself into several villages, locally situated in Kesteven, while the city itself was wholly within Lindsay, but the whole was subject to the jurisdiction of the city. As it was provided, therefore, that all within that jurisdiction should vote in Lindsay, it followed, that all the freeholders, of course, would possess the right to vote in that division.

Colonel *Sibthorp* said, that it was useless to resist the phalanx of the noble Lord, and therefore he should not divide the Committee, though the Bill was most partial and unjust with respect to Lincoln, and he rested his hope that Ministers would be defeated in another quarter. He wished to add one word in reply to the noble member for Northamptonshire. He had said, those parts of the dependencies of the city of Lincoln, locally situated in Kesteven, were to possess the right of voting for Lindsay, which would be found rather awkward in practice, as they would have the right of voting in one division, and be exempt from the control of the Magistrates of that part in which they were to vote.

Lord *Althorp* thought, his noble friend had sufficiently explained, that those parts which were under the jurisdiction of the city of Lincoln, were to vote in Lindsay.

Colonel *Sibthorp*: There are distinct Sheriffs for the city and county of Lincoln; who was, therefore, to be the returning officer for these dependencies? The city Sheriff had authority within them, and yet those parts were to have votes where their Sheriff had no authority.

Mr. *Wilks* thought his hon. and gallant friend acted wisely, in not pressing a second division upon a point which had already been decided, however much they might regret it. But as the noble Lord had not given any answer to the suggestion he made, as to the places where the elections were to be held, he begged to repeat, that in this clause he wished it to be made absolute, that the election for Lindsay should be held at Lincoln, and that for Kesteven and Holland at Boston. These were undoubtedly the most convenient places for the purpose.

Lord *Althorp* said, he did not think the places named by the hon. Gentleman were really the most convenient; and besides, the places to be appointed were of comparatively little importance, as the place of nomination was to be provided for.

Sir *Robert Heron* considered Boston the most inconvenient place that could be selected for holding the elections for Kesteven and Holland.

Colonel *Sibthorp* said, the other boroughs of that part of the county would at least be as convenient as Boston, but he should recommend that part of the county called the Garden of Eden, for the purpose.

Clause agreed to.

The Chairman then put clause 12: "That freeholders and others claiming to vote in counties divided, shall vote as if such divisions were separate counties."

Sir *Edward Sugden* said, this clause brought them to the consideration of what were actually to be the rights of freeholders and others; he therefore wished the noble Lord to state, whether persons holding freeholds in two divisions of a county, should have the right of voting for each of those divisions, or whether his right should be confined to only one of them. The clause said, that an elector "shall vote only for a Knight or Knights of that Riding of the county of York, those parts of the county of Lincoln, or that division of the county so to be divided, in which the property, in respect to which he claims to vote, shall be situated." He confessed he did not comprehend this clause, or the necessity for inserting it in the Bill. It was clear that when a county was divided, the party who had property in one division, could not vote for the other. The divisions were to be, in effect, separate counties, for the purpose of elections; therefore, to suppose that property in one division could entitle a man to vote in another, was wholly out of the question. But what he wanted to know was, whether a man having property in two divisions of a county, would be entitled to vote for both? [*Noise—cries of "Order, order," and "Bar, bar," from the Opposition benches, and even from the Chair.*]

Mr. *Bernal*, the Chairman, said, that he was really sorry to be obliged to beg assistance on the part of the Committee to enable him to preserve order. Order being restored,

Sir *Edward Sugden* hoped, that no misrepresentations would be made upon this, and he trusted, that he should not be again told, that what he said in that House was met by loud clamour. The Act ought to declare whether a freehold, divided as it

might be by the Commissioners, was to give the right of voting for each of the divisions of the county or not. It was now time for the Committee to consider the cumulative rights of voting. He came to the very essence of the Bill. The Bill would give small freeholders the right of voting in cases where larger freeholders would be deprived of that right. It was provided, "that, notwithstanding anything herein before contained, no person shall be entitled to vote in the election of a knight or knights of the shire to serve in any future Parliament, in respect of any house, warehouse, or counting-house, or of any land occupied together with a house, warehouse, or counting-house, by reason of the occupation of which respectively, he or any other person shall be entitled to vote in the election of a Member or Members to serve in Parliament, for any city or town being a county of itself, or for any other city or borough." They had now to consider what would be the various rights of the freeholder, the landholder, and the actual tenant, or occupier, with respect to voting. Suppose a man had twenty freeholds, each of them of the annual value of 10*l.*, in a town, and that they were also within the county; take Brighton for example, if a man held such freeholds there, he would be entitled at present to vote for the county of Sussex, but by this clause each tenant would be entitled to vote for the town, and the landlord with a considerable estate would be disfranchised. Again, if a person had only a freehold of the annual value of 40*s.* situated in the same place, his tenant would not acquire a vote for the town, and the freeholder's rights would remain as they were—he would still possess his right to vote for the county; this could not be correct. He felt sure, that what he was now saying was on a point of great importance, but Gentlemen appeared to be determined to pay no attention to it. The principle never could be right which allowed the small freeholder to retain his rights, and took them from the large freeholder. He therefore submitted to the consideration of the Committee, that it was by no means advisable to throw the small freeholders of the towns to be enfranchised upon the counties. [*Great confusion in the House; calls of "Order" and "Bar."*]

Colonel Sibthorp rose to order. He was particularly interested in the question before the Committee, but it was impossible

for him to hear the learned Gentleman, from the incessant interruptions and noise with which he was received. Although he might be called factious, if the interruptions continued, he should feel it his duty to move an adjournment of the debate.

Sir Edward Sugden resumed. He was anxious to say only a very few words. He wished to know what Ministers would do with those freeholds in a city or borough, which were too small to entitle the tenants or occupiers of them to vote for the city or borough. This was really important. There were a certain description of freeholds, good in law, but not in fact, and these nominal freeholders would actually have two votes, while the real 10*l.* freeholders would have no such privilege; this evil would be made greater by the division of counties. From the county constituencies they were about to take all the borough and town Representation of above a certain value, and retain the 40*s.* freeholders to make up the county Representation. Now the operation of this principle might be very dangerous, because it would depend upon what towns or boroughs were placed in each division; whether the rural constituency which consisted in general of the larger proprietors, might not be completely overwhelmed by the 40*s.* freeholders living in the towns. They ought, therefore, to be very cautious, in legislating, to prevent such an effect. This was no party question. He most solemnly addressed himself, in the sincerity of his heart, to Ministers, in order to see what good he could do to the Bill. He was at one time inclined to think the clause might be much improved by giving all freeholders a right to vote for counties, but by proceeding in that way they would destroy other constituencies, and no hon. Gentleman, whatever his opinion on this Bill generally was, could agree that the mischief of nomination, which was said to prevail in certain boroughs, should, under another description of things, be transferred to counties where it had never previously prevailed. County Members always had, and ought to continue to have, great weight in that House, but by the course now proposed to be pursued, the respectability and weight of their constituencies would be much impaired. He should, therefore, propose some modification of the 16th clause.

Lord Althorp complained, that the learned Gentleman was out of order in making

suggestions which did not apply to the clause before the Committee, but to the 16th clause of the Bill, upon which he would explain himself when the Committee had arrived at the clause.

Sir *Edward Sugden* said, that although he was taking a general view of the right of voting, yet he admitted the observations of the noble Lord were correct, and he was happy to hear that some explanations were to be given; but the House ought, notwithstanding, to have had some explanation of what was presumed to be the general operation of the principle they were then discussing. This would have prevented him from being obliged to resort to other clauses to explain the one before them. If the object really was, to extend the rights of voting, it should be freely and fully stated. He therefore, in conclusion, begged to press upon the noble Lord the consideration, that a man might possess the freehold of the whole Marine Parade of Brighton, and yet, if these houses were all let to tenants, he would have no vote either for the town or county.

Lord *Althorp* would confine what he had to say to the clause now before the Committee, although he fully appreciated the knowledge and acquirements of the hon. and learned Gentleman, and would, on those accounts, by no means neglect any remarks that came from him. The object of the Bill was obviously to give to freeholders, copyholders, and leaseholders, of a certain description, the right of voting at elections. It was intended that the voters in towns and boroughs should be excluded from voting for counties, and by this means the town and county Representation would be kept distinct, and the landed interest would claim an advantage which at present it did not possess. As the division of counties would make each division of the nature of a separate county, a property in both would give the right of voting for both, in the same way that a person who had a freehold in Lincoln, and another in Nottingham, would have a vote for each of those counties. With respect to non-resident voters, the counties were on a footing different from that of towns, for although it was very desirable that non-residents should not vote for towns, it was impossible to extend this regulation to counties. He would select his own case as an example; he resided the principal part of the year in London, perform-

ing his duties in that House, but his house and property were in Northamptonshire, if non-residence, therefore, was to be a bar to his voting, he should lose that privilege; but by confining the right of voting in towns to the *bona fide* occupiers of houses, they did away completely with the evil of non-residents, as far as the towns were concerned.

Sir *Charles Wetherell* said, he understood the noble Lord very clearly; his object was plainly perceived, and he intended, undoubtedly, to give to a man possessing freeholds, even in the separate divisions of a county, the right of voting for each.

Sir *George Clerk* doubted if a property ought to have votes for each division of a county, because the line of demarcation drawn by the Commissioners might divide it into two.

The *Solicitor General* said, the question appeared to rest upon this, whether the clause was or was not necessary; but surely its introduction could do no harm. The object the Ministers had in view was, to explain that an individual having two freeholds in separate divisions of a county should have a vote for both. This was the important principle; but as it was provided for by other parts of the Bill, there would be no great objection to dispense with that part of the clause here.

Sir *Edward Sugden* said, the clause was more than unnecessary, it actually tended to obscure the subject, for he did not know what was its object until he heard it explained. He therefore proposed that in lieu of it a short clause should be inserted, explaining, that the several divisions of a county should be considered as wholly separate so far as regarded the right of voting. He would beg to ask the noble Lord (Lord Althorp) a question; he understood there were to be some considerable improvements suggested to a clause which was about to be taken into their consideration. He had many objections to that clause as it stood, but if the alterations that were proposed to be made were not explained previous to their being laid before the House, he should have no time or opportunity to consider their bearings; he therefore called upon the noble Lord to make some arrangements by which Members could have time to consider the amendments before they were obliged to vote. They were about to make and form an entirely new constituency throughout the country, and considering that as

the most important part of the Bill, it ought not to be discussed without further notice, and on a Saturday when so many, of the most important Members would necessarily be absent.

Lord *Althorp* was ready to adopt the suggestion of the hon. and learned Gentleman, and would therefore consent that the clause in question should not be gone into to-morrow. They might proceed with other clauses not so likely to provoke discussion, and fill up blanks in the Bill. With respect to the clause now under consideration, he saw no objection to striking it out.

Sir *Edward Sugden* said, that some of the clauses depended so much upon others, that he felt it difficult that such a selection could be made as the noble Lord proposed.

Mr. *C. W. Wynn* did not think that any great alterations could be intended, or the whole Bill must be recommitted. The clauses which the noble Lord proposed to amend, were the most important of the Bill. They were intended to enact the right and manner of voting; it was, therefore, very important that they should have ample time to consider the proposed amendments.

Colonel *Davies* said, he had given notice of an amendment on one of the Clauses to be considered, and he wished to have a full attendance of Members. He knew many must be absent; he therefore wished the House should adjourn over to-morrow.

Mr. *Croker* must also press an adjournment, as the noble Lord must be aware that clauses 15 and 16 were the most important provisions of the Bill, and it was evident they would create much discussion.

Lord *Althorp* must say, that as he intended to propose certain amendments, it would be necessary to enter into some explanation respecting them, before they were printed and distributed, and on this account he wished the House to meet to-morrow.

Mr. *Croker* was satisfied with the noble Lord's explanation, and would certainly attend to-morrow.

Sir *James Scarlett* was of opinion the clause now before them was wholly unnecessary; the 16th clause would answer every purpose for which it was intended.

The *Attorney General* admitted, that the clause was superfluous. It had been in-

serted only to leave no doubt respecting the division of counties. As the House seemed to consider that it was not necessary, he should propose to withdraw it, for it was a bad practice to introduce useless matter into an Act of Parliament.

The 12th clause was, *pro forma*, negatived.

The Chairman then put the question, that the blank in the 13th clause (that investing Berkshire, Buckinghamshire, Cambridgeshire, Dorsetshire, Herefordshire, Hertfordshire, and Oxfordshire, with the power of returning an additional county Member) be filled up by the number "3."

Colonel *Wood* protested against the principle of this clause. It was a proposition which would not be considered as a boon by the freeholders of these counties, for it would involve the different parties in them, at every election, in a constant struggle, which of them should return the third Member. He objected to the clause that it made an invidious distinction between the seven favoured counties, and those which should return only their present amount of two Members, though equally entitled to an increase, so far as wealth and population were concerned. If it was the noble Lord's object to add to the agricultural Representation in that House, his best plan would have been, to have proposed that each county in Wales should return two Members. No man could say the Welsh counties were adequately represented. In England the proportion of Representation to population, was as one to 20,000, but in Wales the ratio was much higher. He could not account for this unfair preference, except by supposing, that as Wales was added to England by conquest, and not by union, the inhabitants were compelled to take what the dominant country thought proper to allow them. He could assure the House, that the Welsh constituency was most respectable and independent. He observed, there was a motion to give Carmarthen another Member. He hoped he might rely on the hon. Gentleman who had given that notice for his support to the proposal to give seven additional Members to Welsh counties, which he thought they ought to have, for two especial reasons—first, that the proposed addition would remove the cause of strife and contention; and second, that Wales had not its due proportion of Members; he therefore hoped his Majesty's Ministers would consider the suggestions he had

made, and adopt them in preference to the proposed arrangement.

Sir *George Clerk* fully agreed with the hon. and gallant Member, that Wales was entitled to an increase in the number of county Representatives. The Principality was not adequately represented. He could by no means comprehend why Government objected to giving four Members to counties in common, on account of party struggles, and yet proposed the present clause, which would most assuredly, as had been represented by the hon. Gentleman, give rise to the most vehement party struggles who should return the third man. Although he admitted the claim of Wales, yet he could not advocate her interest without pressing the claim of Scotland. On the principles on which the Reform measure was introduced, there were very strong and cogent reasons why that country should have additional Representation. If he understood those principles correctly, every county with a population of 100,000 was to have an increase of Members. By the census of 1821, several of the counties of Scotland, as Aberdeen, Ayr, Fife, Edinburgh, Lanark, Perth, and Renfrew exceeded that amount. In Scotland the ratio of Representation to population was much higher than in England at present. This disparity there was good reason to complain of—Scotland yielded to no country of equal extent in wealth and commercial prosperity, and if it received its due proportion of Members, one to 20,000 souls, it ought to have an increase of eighty Members. He was, however, quite ready to allow, that it was wholly impossible to give such an increase; but he should certainly propose, that every county of Scotland with a population of above 100,000, should have an additional Member, and when the Scotch Reform Bill was before them, he should urge this point, and he hoped with success.

Lord *Althorp*, in reply to the hon. member for Edinburghshire, had only to say, that a county having a population of 100,000 souls, was not the principle which had guided them in giving additional Representation. The real cause was, as had been previously explained, that in the formation of the Bill, it was found necessary to give more Members to boroughs and large manufacturing towns, than was originally contemplated. It therefore became necessary to give the agricultural interests an increase, as a balance, by se-

lecting seven counties where it was known the agricultural interests preponderated, and give them each an additional Representative. It was not because these counties contained more than 100,000 souls that they were selected—but because they were likely to return Members dependent on the agricultural interest. He would say a few words in answer to his hon. friend the member for Breconshire (Colonel Wood), who had supposed that Wales had fewer Representatives than England because it was a conquered country. Now what were the real facts? For 250 years after it had been annexed to this country, it had no Representatives, and was perpetually the scene of riot and disorder, being almost in a state of rebellion. In this emergency, it was thought advisable to bestow a small share of the Representation on the principality, and this was attended with the most salutary effects. These circumstances shewed, that the small amount of Members returned by Wales, was not solely on account of its being a conquered country. Again his hon. friend had asserted, that three Members being given to a county would occasion the most violent party struggles to return the third man; but the case of Wales showed, that an odd Member had no such effect. With regard to Scotland, the hon. Baronet had said, Scotland was not fairly treated. It was quite true they had not increased the amount of Representation equally to that of England, but Scotland was to have a large proportional increase, and a better method of returning Members in comparison with what it had at present. With respect to the clause in general, it should have his support, for he thought considerable advantage would be derived from additional county Representatives. It was quite evident, unless precautions were taken to guard against it, that the commercial and manufacturing interests would preponderate under the new Bill.

Mr. *Lee* maintained, that Cambridge-shire would still be deficient in its due share of Representation. By the census of 1821, its population amounted to about 121,000 souls, to represent which, they were to have only five Members, three for the county, and two for Cambridge itself; the University Members, of course, he did not consider. The average proportion of Members to population throughout England, was as one to 15,000, but in Cam-

bridge there was only one to 28,000. This at once proved, that it was hardly treated; he should therefore recommend, that Wisbeach, in that county, should be invested with the power of returning at least one Member. Its population and wealth entitled it to this distinction.

Mr. *Throckmorton*, as a Representative of one of the counties to which it was proposed to give an extra Member, must be allowed to express his surprise at the modest proposition of hon. Gentlemen, to increase the Representation of their own counties, at the expense of their friends. He had no objection to Wales and Scotland having an increase, but would never consent, that England should be cut down from her fair proportion. He conceived the clause to be founded on a wise principle, particularly as it applied to Berkshire—a county the wealth, population, and agricultural importance of which, well entitled it to an additional Representative. The Bill had given general satisfaction, and he should support this clause as one of its best enactments.

Mr. *Cutlar Ferguson* could assure the Committee, the feeling of satisfaction was not confined to Berkshire, and he quite participated with the hon. Member for that county, in his feeling of surprise at the proposal of the hon. Gentlemen to increase the Welsh Representation at the expense of the English counties. The only evil he could see from a third candidate was, that if the electors were restricted to two votes, there might be a split between the favourite or popular candidates, and that consequently, the most unpopular person might come in as third.

Sir *George Murray* trusted he might be permitted to say a few words with regard to the Representation for Scotland on this occasion. An hon. Gentleman opposite had said, that Cambridgeshire had only one Representative to 28,000 inhabitants, and he thought the interests of that county required more to equalize the proportion to that of other counties but throughout Scotland, the ratio was much less than in England, and if the rule laid down by the hon. Gentleman was followed, that country would be entitled to a large increase. The only argument he had heard in favour of giving three Members to certain counties, was, that the inhabitants would be glad to have them, and no doubt the inhabitants of other places had the same desire, and if one was to be gratified, why not the

other? It had been asserted, that the whole representative system of Scotland was defective; but leaving out of the question, at present, the manner in which he was elected, he considered himself as much charged to protect the interest of every individual in the county of Perth, as if he had been returned by universal suffrage. He would therefore assert, that he was as much the Representative of the people as any other hon. Gentleman, however broad might be the basis of his constituency. If the manner in which he was elected was made an objection to him, he would tell the noble Lord, he would not be the Representative of the people of England, when elected by 10% householders, who could only be a small portion of the whole people. It had been said, that the seven additional Members were to be allotted to certain counties, to keep up the balance between the agricultural and manufacturing interests, which otherwise could not be maintained. This applied equally to Scotland. The agriculture of Scotland had flourished in proportion to its manufactures, yet there was nothing like a balance between them kept up by the Reform Bill for that country. It was proposed, on the contrary, to reduce the county Representation, and augment that of the towns and boroughs. He wished to speak at all times with respect of these different interests. He knew the connection between them was so intimate that they were mutually dependent on each other, but the general effects of the proposed alterations, he considered, would be, to give the commercial and manufacturing interests a large increase of influence, and on that account he wished the Scotch counties to have an increased number of Representatives. He thought it was important that each county should have two Members, for that naturally prevented one interest from overwhelming the others. This doctrine he had maintained whether in or out of office, and he should be prepared, at the proper opportunity to insist upon this measure of justice being dealt to Scotland.

Lord *Milton* said, it was quite evident that his right hon. and gallant friend had overlooked the vices of the Scotch Representation. While placed in such pure and honourable hands as his, it did not, probably, much matter how the Member was elected, but surely it must have occurred to him, that there was no security generally for the interests of the constituency being

adequately attended to, unless they had a voice in the choice of their representative. He thought he might venture to say, that by the proposed improvements, Scotland would not only receive an addition of five Representatives to its manufacturing and commercial interests, but all the Members to be sent for that country would be additional, for they would be returned by the people. Hitherto, from one end of Scotland to the other, there had never been a popular election. With respect to giving additional Members to Wales, he had not yet heard any reasons to satisfy his mind, that they ought to be granted. His noble friend, however, must permit him to say, that of all the clauses of the Bill, this was the oddest. He objected to the selection of seven counties which were not the most important. If it was the object of his noble and hon. friends to give additional Representatives to the agricultural interests, instead of selecting the counties named in the clause several of which only contained 150,000 or 160,000 inhabitants, on the whole, they ought to have selected the large divisions of Yorkshire and Devonshire for the purpose, which were in every respect agricultural districts, and had a comparatively small portion of Representation. It appeared to him somewhat inconsistent, after several of the large counties, such as Cumberland, Lancaster, and others, had received four Members, and several of the smaller counties two, that a middle class was created which were to have each three. This latter class were selected, if he understood the principle, in order to give additional weight and influence to agriculture; but what was the fact, the counties thus selected were not remarkable as agricultural districts, while the most important divisions connected with that interest were overlooked. But independent wholly of such considerations, he objected to the principle of giving three Representatives, which he thought would have the effect of introducing Members not much connected with the counties or constituencies they were supposed to represent. For these reasons he did not consider the arrangement now before the Committee a judicious one.

Mr. *Praed* objected to the Committee proceeding further at that late hour. He had what was, in his opinion, a most important proviso to propose.

Mr. *Croker* said, the question that this clause stand part of the Bill, should cer-

tainly be postponed, for the amendment which a noble friend of his intended to move went to the very essence of the clause itself.

Lord *Althorp* hoped to have been able to get through the clause that night. Was there any objection to fill up the blanks, report progress, and go on with the discussion to-morrow?

The Marquis of *Chandos* said, was he to understand, if that course were adopted, they were to proceed with the discussion of the clause for giving three Members to certain counties, to-morrow; as that was a proposition he should oppose to the utmost.

Mr. *Charles Douglas* said, there was no wish in Scotland to obtain additional Members at the expense of England. He was really apprehensive that hon. Gentlemen did not understand the system of Scotch Representation, if they asserted there was no popular elections in that country; the existing methods answered well for such a purpose.

Mr. *Estcourt* adverted to the close attendance which these meetings on Saturdays occasioned, and the consequent weariness which it produced. Many Gentlemen had understood that the Committee would proceed to-morrow only with clauses of no importance, and therefore had intended to go into the country.

Lord *Althorp* said, he had been misunderstood. What he said was, that he wished those clauses not to be proceeded with to-morrow which required discussion, and where the main principle of the Bill was affected; but this was not one of those clauses. The Committee made considerable progress on Saturdays, and though he was fatigued, he was not exhausted, and should therefore persist in his motion for sitting to-morrow.

Mr. *C. W. Wynn* had intended to propose an addition to the Representation of Wales, but he could not do it on a Saturday, when so many Members were likely to be absent.

Mr. *Frankland Lewis* was of the same opinion. The clause was one of great importance, and therefore he implored it might not be discussed to-morrow, when an understanding had already been come to, that no important matter should be brought under consideration. He sincerely believed, that if England and Wales were polled, man by man, upon the specific question, as to whether they would have

the number of Members reduced, that there would be twenty to one against any reduction. He therefore hoped that the question would not be decided upon on a Saturday.

Mr. *Stuart Wortley* said, the question as to any increase in the Representation of Wales did not rest with the noble Lord. An hon. Member had already given notice of his intention to bring that subject forward.

The *Chairman* interposed, and said, the question before the Committee was, that the blank be filled up with the word "three."

Mr. *William Bankes* observed, that if this practice of sitting on Saturdays was to be persevered in, and the hon. and learned Member on the other side (Mr. Robert Grant) intended to bring in his Jew bill, some inconvenience would be felt by hon. Gentlemen of that persuasion.

Colonel *Sibthorp* said, that some of the clauses of the Bill might appear to some hon. Members of less importance, but he considered every line, every word, to be important. The Committees should adjourn over till Tuesday.

Mr. *Croker* said, the speech of a noble Lord (Milton) had relieved him from the necessity of then making any remarks upon the curious, not to say absurd clause before the Committee.

Sir *Francis Blake* hoped the House would meet to-morrow.

Mr. *Trevor* was adverse to meeting on Saturday, but he should attend in his place.

The Motion that the blank be filled up with the word "three," agreed to.

House resumed—Committee to sit again on the following day.

RECORDER OF DUBLIN — JUDICIAL OFFICERS (IRELAND) BILL.] Mr. James Grattan moved the second reading of this Bill.

Sir *George Clerk* begged to call the attention of the House to this Bill, and to the extraordinary manner in which it was introduced. The ostensible object of the Bill was to prevent several persons, holding judicial situations in Ireland from holding seats in that House, but the real object was, to exclude the Recorder of Dublin from sitting in that House, it being well known that that learned Gentleman was about to become a candidate for the Representation of that city, now vacant.

The House would recollect, that on Monday the Dublin Election Committee made its report, declaring the two sitting Members unduly elected, and the election void. At two o'clock on the following morning, without any previous notice, and in a very thin state of the House, a motion was made for leave to bring in a bill to extend the provisions of Act 1 and 2 Geo. IV. c. 44, which prevented Masters in Chancery from holding seats in Parliament, to certain judicial situations in Ireland. Now the object of this was, to exclude the Recorder of Dublin, who, it was well known, was the unsuccessful candidate at the last election, from sitting in Parliament; and in order to defeat his future success this Bill was introduced, in the extraordinary manner he had described. Leave was obtained to bring it in on the Tuesday morning; it was brought in at a late hour on Wednesday night or Thursday morning, and now it stood for a second reading. The votes did not state who brought in the Bill, but the hon. member for Wicklow's name was amongst those who were ordered to bring it in; and as he moved the second reading, he supposed that it was on his motion that leave was given. He could have no other object by such haste, but that of excluding the Recorder, and if that was not the object, the hon. Member would not object to the motion with which he should conclude, viz. that the Bill be read a second time that day fortnight. [A Member said "six months"]. He would not name so long a period, as there might be reasons for supporting the principle of such a Bill; but a fortnight would be sufficient to defeat the object of the Bill if it were to exclude the Recorder of Dublin from becoming a candidate on this occasion.

Mr. *James Grattan* said, that before the hon. Baronet took upon himself to attribute personal motives, he ought to have made himself acquainted with the facts to which he referred. The hon. Baronet said, that no notice had been given. If he looked at the book he would find, that a notice had been given before the Dublin Election Committee made its report, and that it stood on the Orders for Monday. If the hon. Baronet looked at the reports and returns on the Table, he would find abundant proofs of the necessity of such a measure, which, in fact, if time had served, ought to have been brought in long ago. The Bill would ex-

clude all Recorders in Ireland from becoming candidates, but it could not extend at present to the Recorder of Dublin, for before it could be carried through its stages, the election for Dublin would have terminated, and the Recorder, if the successful candidate, would take his seat. If the hon. Baronet looked at the returns, he would find that it was impossible for a man to discharge the duties of Recorder of Dublin, and attend to his duties as a Member of that House. He (Mr. Grattan) could see the cause of the strong muster of the Opposition; the hon. Baronet had no doubt a great respect for the Recorder, but he did not care how the duties of the office were to be discharged, provided he got an addition of a Member whom he knew would sit on the same benches with the hon. Baronet.

Mr. *Spring Rice* bore testimony to the fact of the notice having been given, and he expressed his surprise, that the hon. Baronet should have brought a charge without first making himself acquainted with the facts. The hon. Member for Oxford would bear him out in the statement, that a conversation took place on the introduction of the Bill, in which he (Mr. Spring Rice) said, that he would not give his sanction to the Bill, if he thought it would have the effect of injuring the Recorder in his present canvass, though he approved of the future application of the principle of the Bill to persons holding judicial situations in Ireland. The House would see from this, that nothing was farther from his hon. friend's intention, in bringing in this Bill, than to take it by surprise.

Sir *George Clerk* would do the hon. member for Wicklow the justice to say, that, on referring to the Order-book a notice was entered there for the Bill for Monday last, but he not having heard any thing of the matter until the printed Bill was delivered to him that morning, he owned it excited his suspicion; and therefore he felt it his duty to call the attention of the House to the circumstance.

Sir *Robert Inglis* admitted the fact of the conversation to which the right hon. Gentleman referred. He had no complaint to make on that ground; but on looking at the Bill, he found it would have an *ex-post facto* effect, for one clause stated, that from and after the passing of the Bill, no person holding a judicial situation in Ireland should be eligible as a Member of

Parliament, or be capable of sitting and voting as such. This certainly would exclude the Recorder of Dublin, even though he should be returned before the passing of the Bill. Under this impression he would move that the Bill be read a second time that day six months.

Sir *Charles Wetherell* seconded this amendment, and was proceeding to contend that the object of the Bill was the exclusion of Mr. Shaw, when

Mr. *James Grattan* said, he had no objection to withdraw the Bill.

Mr. *Hume* would object to the Bill being withdrawn. No man who had a wish to see the administration of justice duly honoured, would consent to a seat in that House being held by a person holding at the same time an important judicial situation, which required his constant attendance elsewhere.

Mr. *Spring Rice* hoped his hon. friend would allow the Bill to be withdrawn. Certainly, in its present shape, he could not give his vote for it.

Mr. *Hume* said, the defects of the Bill could be cured in the Committee.

Mr. *Ruthven* took the same view of the subject as the hon. member for Middlesex, and suggested that the discussion of the Bill might be put off to a more convenient time.

Mr. *Lefroy* said, that the Bill would be an injustice to Mr. Shaw, the Recorder of Dublin, but would not remedy the evil complained of, for the Recorder might appoint a deputy, and there was nothing to hinder him from sitting for a borough in this country.

Bill withdrawn.

CIVIL LIST—PENSIONS.] Lord *Althorp* said, that there were several charges which heretofore were fixed on the Civil List, and for which no provision had yet been made. He had brought in certain papers relating to those charges, which he wished now to refer to a Select Committee, in the same way as the other charges had been referred. The charges were, the salaries of Judges in England and Ireland, the Governors of colonies, the Chief Commissioner to the Church of Scotland, and some others. There were also pensions to the amount of 75,000*l.* remaining to be provided for, but these he did not intend to refer to the Committee for the reason he had assigned when the subject was last under discussion. He hoped that no

discussion might now be gone into on the subject; for any hon. Member who thought proper might move, on any future occasion, that the pensions be also referred to the Committee. At the same time, he felt it his duty to say, that if such motion should be made, he would oppose it. He would now move "That a Select Committee be appointed for the purpose of examining the items of those expenses of the Civil Government of Great Britain and Ireland, heretofore charged on the Civil List, but henceforth to be charged on the Consolidated Fund and the four-and-a-half per cent Barbadoes duties, which still remained to be provided for."

Mr. Robert Gordon seconded the Motion, but at the same time expressed his regret, that the noble Lord should not also refer the pensions to the Committee. He had more than once stated his opinion against saddling the Consolidated Fund with 75,000*l.* annual pensions, amounting to half the present pensions of 150,000*l.*, but it never could have been the intention of the House to take these without knowing something of their nature and origin. He thought it better to take the sense of the House after a regular debate, as to whether these pensions should be referred to the Committee, and if no other hon. Gentleman should be induced to do so, it was his intention to make a motion to that effect on Thursday week.

Colonel Sibthorp entirely approved of the hon. member for Cricklade's determination.

Motion agreed to, and Committee appointed.

HOUSE OF COMMONS,

Saturday, August 13, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. SPRING RICE, for a copy of the Minute made in Chancery respecting the retiring Salaries of Masters Roupe! and Marten:—On the Motion of Mr. PUSEY, for an account of the Public Expenditure and Income for the four years previous to the 5th of January, 1831:—On the Motion of Mr. COURTENAY, by an Address to his Majesty, of the Pensions granted to individuals out of the Civil List, and of the dates of the periods at which granted.

Petitions presented. By Mr. H. ROSS, from the Ship Owners and Merchants of Carnarvon and Beaumaris, against the duty on Marine Insurances. By Mr. Alderman WOOD, from the Retailers of Beer, and Housekeepers of Gloucester, that the Beer Venders might be placed on the same footing as the Licensed Victuallers:—By Mr. J. L. HODGES, from Maidstone, to the same effect. By Mr. MOSTYN, from the Grand Jury of Flint, against the use of Molasses in Breweries and Distilleries. By Mr. H. L. BULWER, from certain Individuals, praying for the Mediation of the House in the War between Russia and Poland.

PROGRESS OF THE REFORM BILL.] Mr. Horatio Ross rose to present a Petition from the inhabitants of Arbroath, complaining of the delays that had taken place in the progress of the Reform Bill. This was a proof that the inhabitants of Scotland had not become lukewarm on the subject.

The *Speaker* interposed, and stated his opinion, that the petition could not be received, on the ground of irregularity, and its objectionable nature. He might take that opportunity to express a hope, that hon. Members would see the propriety of abstaining from giving publicity, by a side-wind, to petitions containing statements that were considered objectionable by the House.

The Petition withdrawn.

Mr. Croker wished to take that opportunity of explaining a misunderstanding that had arisen, with reference to the letters of the 1st and 2nd of August, on which he made some observations last night. Both those letters appeared in the *Gazette* published at the Hague: that of the 1st of August was printed in the *Morning Post* of Thursday, and the letter dated the 2nd, appeared in the *Standard* of the preceding evening. He wished to state the sources from which his information had been derived. As every word that was spoken had been given to the public, it was desirable that this matter should be clearly stated, in order that private interests might not suffer.

Mr. Hunt said, the Paper the right hon. Gentleman quoted with such praise had not only given every word he said, but had complimented him on his ingenuity.

Mr. O'Connell complained, that every word uttered in that House respecting Belgium was given to the public; but the case was different as regarded an important and integral part of the empire, which was not thought worthy of so much notice.

CORN LAWS.] Mr. Hunt said, he had a Petition to present from Sutton, in Cheshire, for the repeal of the Corn-laws. It contained strong language, but not stronger than the occasion justified, and not at all disrespectful to the House. He should, in future, abstain from reading the petitions he presented; he should leave that task to the noble Lord, the Chancellor of the Exchequer, or the hon. member for Oxford; but, he begged to assure

them notwithstanding, that he should exercise his own judgment with regard to such petitions as he thought proper to present.

Sir *Robert Inglis* must remind the hon. Member, that it was his duty to ascertain that the petitions he presented contained no offensive language. From what had already occurred, he called on the hon. Member to say, whether he thought this petition ought to be received; and, if the hon. Member thought so, he would not object; but he must not act as he had done, in this respect, yesterday. The hon. Member said, he had read the most offensive part of a petition, and afterwards the noble Lord, the Chancellor of the Exchequer, had read other parts, so much more offensive, that a full House, with the exception of six Members, had been induced to reject it.

Lord *Althorp* agreed with the hon. member for Oxford, that it was the duty of every Member to ascertain, that the petitions he presented were not disrespectful or offensive to the House. As the hon. Gentleman's taste in this respect appeared to differ from that of other Gentlemen, it would probably be better that the present petition should be read by the Clerk, and, if the House found it objectionable, it might be rejected.

Mr. *D. W. Harvey* said, that if no petitions were to be presented but such as were agreeable to the canons of the University of Oxford, few would be entered on their Journals. There were only two sorts of petitions which ought to be rejected; these were such as assailed individual character, or were likely to pre-judice any inquiry going on in a Court of Justice. The present petition proceeded from a considerable part of the people, and referred to a most important question. He might doubt the propriety of agitating that at the present moment, but probably, had the subject not been brought before them, they would have been told, that as there were no complaints, there was nothing to remedy, and that even the people approved of Corn-laws—which took no less than 20,000,000*l.* sterling out of their pockets, for the sole purpose of keeping up the rentals of a majority of the House of Commons. Of course that majority would endeavour to prevent any petition, stating these grievances, from being presented, so far as they could. He was most anxious for a calm and deliberate

discussion on this subject, but feared that, at the present time, it could not be had. He, therefore, would recommend the hon. member for Preston to postpone bringing the subject forward until a fitter opportunity.

Sir *Charles Burrell* could not sit quiet, after the furious attack made by the hon. member for Colchester upon the landed interest. He was prepared to contend, that the Corn-laws were not the cause of the distress in the country, which was mainly, in his opinion, to be attributed to the Currency Act. At the same time, as that Act had not deteriorated the price of labour in the same proportion as it had affected other articles, the industrious classes had suffered least from the great change brought about by it. The alteration of currency had materially increased the burthen of taxation, and thereby augmented the difficulties which the agricultural classes were previously labouring under. The farmers had not the power to employ so many labourers as heretofore. He regretted, that the hon. Member should have stated, that the object of the Corn-laws was to bolster up the rents of landlords. He was bound, on their behalf, to declare, that, in many poor soils, these had fallen full one half; and, in better lands, one-third. The charge was absurd; the cause of the distress was the alteration in the currency.

Mr. *James* was of opinion, that the House had done wrong yesterday, in rejecting the petition of which he had seconded the presentation. This would aggravate the hostile feelings of the petitioners against the Corn-laws. In his opinion, the petition, although strongly, was not disrespectfully worded.

Mr. *Hunt* thought the hon. member for the University of Oxford had not correctly stated the occurrence of yesterday. That hon. Gentleman had objected to the petition being received before the noble Lord made his remarks. He had objected to that part, which, however, he (Mr. Hunt) again maintained, was true, that the Corn-laws had been passed at the point of the bayonet. The noble Lord afterwards read another portion, which caused it to be rejected. He agreed with the hon. Baronet, that the question of the currency had much to do with the sufferings of the people, and had increased their burthens almost beyond endurance. There were 12,000 carpenters and joiners, in the me-

tropolis alone, out of employment, and subsisting upon charity. The petition he had yesterday presented was from 3,000 of his constituents, many of whom were suffering the extremity of misery; and, because they had tacked a caution to the House, to the declaration of their grievances, their petition was rejected, as many had been rejected before. The passions of the people must be excited by this neglect. The hon. member for Abingdon had asserted, that no other Member could be found to present petitions of the same nature as he had laid before the House. He believed the people entertained the same sentiments, for he received many from persons of whom he knew nothing, which he should present at his own discretion, without regarding the advice of the hon. member for Oxford. One half, and upwards, of the House was composed of landholders, who, in his opinion, took 30,000,000*l.* annually out of the pockets of the people, for their own emolument; and who, as a matter of course, would not listen to petitions for the repeal of laws from which they received so much advantage. He wished, therefore, for the House to make inquiry into the whole of the subject, which he should take the earliest opportunity to bring before them.

Sir *Robert Inglis* had certainly objected to the petition which the hon. Member had yesterday presented, on hearing the passage which the hon. Member had read, but he would not have divided the House on the question. When the noble Lord, however, the Chancellor of the Exchequer, pointed out the other objectionable passage, it was the opinion of the whole House, with the exception of six Members, that it ought not to be received. He, therefore, again called upon the hon. member for Preston, enlightened as his judgment must be by the proceedings of last night, to say whether this petition ought to be received.

The Petition to lie on the Table.

Mr. *Hunt* also presented a Petition from Denton and Haughton, in the neighbourhood of Manchester, for the repeal of the Corn-laws.

Mr. *John Wood* said, had he been present yesterday, he should have voted for the printing of the petition which had been rejected, as a matter of expediency. It was better to receive such petitions than, by rejecting them after a debate, cause the violent feelings which were

entertained on this subject to be further inflamed. He had himself such strong feelings on the subject, as to be fearful of expressing them. He remembered having seen soldiers called out to protect the Members on the passing of the Corn-laws, and did not think the language of the petition incorrect. He had refrained from using inflammatory language himself, but he could assure hon. Members, the time was fast coming when the people would no longer submit to these laws. He did not believe the repeal of the Corn-laws would materially affect the price of bread, but it would afford the people of this country a greater opportunity of exchanging their manufactures for that necessary article of life. The leading error of the landed proprietors was, that if foreign corn was allowed to be freely imported, the consumption would not increase. This was a fallacy. The consumption would be more if the price was less; the people would consume all the grain grown in this country, and the surplus they wanted could be procured in exchange for our own manufactures. The people felt so strongly on this subject, that great allowance should be made for strong expressions; and, to reject their petitions on this pretence, would excite much discontent. He was satisfied, that whenever the Reform Bill was disposed of, the Corn-laws would agitate the whole country.

Mr. *Benett* said, they had had strong assertions, but they were not supported by arguments. He had no desire to avoid any discussion which hon. Members might provoke on the subject of the Corn-laws, for the sooner the question was settled the better. But he could not sit still and hear it asserted, that the price of corn was raised by the Corn-laws, when the fact was the reverse, as he could prove; and one effect of their repeal would be, that we should have a mighty influx of foreign labour. There were 2,000,000*l.* sterling paid for foreign corn last year, of which one half, at least, was paid for the price of labour. It must be recollected, that if we imported the same amount of corn annually, we favoured foreign labour to the extent of 1,000,000*l.* against the labour of our own agricultural classes, which must have the effect of throwing many of them out of employment. The labourer here was distressed, not from an insufficiency of corn, but from want of employment. Would his condition be im-

proved by admitting a greater competition of foreign agricultural labour? He had merely said these few words, to show, that an answer could be given to the statements by which the public mind was attempted to be influenced, for nothing could be more unfounded than that the Corn-laws were carried at the point of the bayonet. There were riots in London at the time certainly, but they had nothing to do with the passing of the Corn-laws. There could be no doubt, that the condition of the agricultural labourers would be much depressed if these laws were repealed.

Petition read. On the question, that it be printed,

Mr. *Hunt* said, that if the hon. member for Wiltshire thought the rejection of his motion for a repeal of the Corn-laws, by a majority of that House, would settle the question, he was much mistaken. If he was defeated, he should bring it in again in some other shape; and, if it was overruled, it would only be by a majority of landholders, who were afraid of their rentals. The hon. Member said, the free importation of corn would only increase the competition of foreign labour; it would certainly increase the consumption of corn, because more British manufactures would be exported. He had always held the same opinions, even when he had been a farmer in Wiltshire, and was then, as now, opposed to the hon. Member.

Mr. *Courtenay* said, the petition which the hon. Gentleman did not move to have printed, was the most moderate of the two.

Mr. *Hunt* said, the right hon. Gentleman might have that printed if he pleased.

The Petition to be printed.

THE CORONATION.] On the Motion of Lord Althorp for reading the Order of the Day, that the House resolve itself into a Committee on the Reform of Parliament (England) Bill,

Mr. *James* rose for the purpose of asking the noble Lord a question with respect to the approaching Coronation. That question was—what was the sum of money which it was the intention of his Majesty's Ministers to expend on that ceremonial? To him it appeared, that it would have been much more proper, more parliamentary, more constitutional, had Ministers, before they determined on having a Coronation, come down to the House,

and asked the Representatives of the people if they chose to incur the expense of it. If he were to judge from experience, he should predict, that the outlay would greatly exceed the estimate. The estimate of the expense of the last Coronation was 100,000*l.*; the actual expense was 238,000*l.* The hiring of the jewels on that occasion cost 28,000*l.*; their value was estimated at 65,000*l.* Ten per cent per annum was the hire paid for their use. Having been kept above four years, at an annual expense of 6,500*l.*, the cost was that which he had already stated. With respect to the intended Coronation, he saw no occasion for it whatever. On the contrary—

Sir *Robert Heron* spoke to order. The hon. Gentleman rose to put a question, and was making a long speech.

The *Speaker* said, that there was a question before the House; and the hon. member for Carlisle was entitled to speak to it.

Mr. *James* resumed his observations. He could see no necessity for a Coronation whatever; except, indeed, it were to make fifty or a hundred new Peers, for the purpose of passing the Reform Bill in another place. His Majesty was in full possession of the Throne—he had taken the oaths—no additional security could be given for the proper performance of his regal functions. In ancient times a formal compact between a king and his people was considered to be indispensable. Those times had gone by; and the proposed ceremony was altogether useless, and would be an empty spectacle. He could not believe that his present Majesty wished, or would like, such an exhibition. He was not like the late King, George 4th, whom nothing satisfied but extraordinary show and splendor. That was now a matter of history, and could not be denied. He had a high opinion of the good sense and powerful mind of his present Majesty, who had secured the love of his subjects by showing himself the friend of Constitutional Reform. His Majesty had built for himself a reputation which would never decay while there was an English heart to feel his merits, or an English tongue to praise them. He was sure that his Majesty had too much sympathy for his distressed and impoverished people to wish to put them to the expense of the projected pageant. It was, therefore, his opinion, that Ministers—and he

begged not to be considered as ungrateful to them for the course which they had lately been pursuing—would have acted more wisely had they abstained from advising the Crown, in the present wretched state of the country, to incur the proposed expense. He begged to ask the noble Lord the estimated amount of the expense?

Lord *Althorp* said, that the hon. Gentleman was perfectly in error with reference to the course which he thought, in deference to the Constitution, his Majesty's Ministers ought to have adopted. On that point, however, he would not say anything further. The hon. Gentleman said, that the Coronation was unnecessary, for that the King had already taken the requisite oaths. That was not the case. The Act of Parliament prescribed certain oaths to be taken at the Coronation; and the fact that they were so prescribed, proved that they were considered necessary in point of law. As to the question of expense, he entirely agreed with the hon. Gentleman, that the expense of the last Coronation was extravagant, and especially with reference to the hire of jewellery. It was impossible for him to state, with anything like precision, what the expense of the approaching Coronation would be; but he had already said—what all the succeeding information which he had received on the subject warranted him in repeating—that it would not be more than a fifth of the expense of the last. He was, of course, desirous not to state the expense at a lower rate than would probably be the fact, lest disappointment might be occasioned; but he thought he might confidently declare, that it would not be more than a fifth of the expense of the last.

Mr. *James* thought, that if the expense exceeded 100,000*l.*, the members of Administration ought to pay the surplus out of their own pockets. He begged to know whether there was to be any accommodation at the ceremony for Members of that House, as the Representatives of the people?

Mr. *Gillon* observed, that very few of the Members of that House had a right to claim the title of Representatives of the people. Most of them were mere dross, instead of being pure gold. They sat there as nominees of Peers—as the Members for nomination and rotten boroughs. Instead of possessing independence, they were compelled to vote as their patrons directed them.

Mr. *Hunt* was of opinion that there was no place in England so fairly represented as that for which his hon. Colleague and himself sat. When the hon. Member spoke of the last King with dispraise, he was called to order. No such feeling was manifested when he praised the present King. He knew nothing of his Majesty but as the head of the Government. Was not the present King as much attached to the principles of the Duke of Wellington and his friends, as he professed to be, or as it was professed for him he was, to the principles of Earl Grey and his friends.

Sir *Henry Hardinge* said, he rose in consequence of the pert and flippant observations of the hon. Member (Mr. *Gillon*) who preceded the member for Preston. That hon. Member had stated, that certain Members being nominees could not be independent, and did not, in fact, represent the people. Now he, as Representative for a borough which was called a nomination borough, must say, that he gave as independent a vote while sitting for that borough, as he did while he sat for the city of Durham, or as any man could do. He felt called upon to say thus much as a general remark on the absurdity of asserting that a man must cease to be independent when he sat for a nomination borough; but as far as the hon. Member's remarks were intended to apply to him (Sir *H. Hardinge*), he must say, that he treated them with the utmost contempt.

The Marquis of *Chandos* wished to know, without, however, being desirous of an immediate answer, what was the intention of his Majesty's Government with respect to the period and the length of the adjournment for the Coronation?

Lord *Althorp* said, that it was impossible for him at that moment to answer the—

The Marquis of *Chandos* repeated, that he did not wish for an answer at that moment.

Mr. *O'Connell* expressed his hope that the Irish Reform Bill would be previously introduced.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWENTY-THIRD DAY.] The Order of the Day read, and the House resolved itself into a Committee on the Parliamentary Reform (England) Bill.

Clause 13, enacting that in all future

Parliaments there should be three Knights of the Shire, instead of two, to serve for Berkshire, Buckinghamshire, Cambridge-shire, Dorsetshire, Herefordshire, Hert-fordshire, and Oxfordshire; and two Knights of the Shire, instead of one, to serve for Glamorganshire, was again taken into consideration.

Mr. *William Banks* said, he did not intend to propose an additional Member for the county with which he was connected (Dorsetshire); any boon that was offered he would accept; but at the same time that he accepted it, he could not re-frain from making a few observations upon the principle which had actuated his Ma-jesty's Ministers in granting four Members for the county of Cumberland, while they only granted three to the county of Dorset. In looking at the returns, he found Cum-berland had a population of 156,194, and Dorsetshire, 144,000; and comparing the number of 10*l.* houses in each of the counties, and in each of the represented and unrepresented places in those counties, it was clear, that although Cumberland contained rather more persons, still, in point of wealth, in the number of the 10*l.* houses, and even of those above 40*l.* a year, the county of Dorset had consider-ably the pre-eminence; that was quite clear when the statements relating to each county were examined. In Cumber-land the residents in boroughs which were to have Representatives amounted to 40,000; in Dorset only to 24,000. The number of 10*l.* houses in Cumberland was 2,400; in Dorset 3,050; the freeholders of the former county amounted to 1,527, in the latter, to 2,002. The number of houses in Cumberland rated at above 20*l.* and under 40*l.* was 536; in Dorset 828; the houses above 40*l.* were, in Cumber-land 114, and in Dorset 216. The House would be surprised to learn these facts, and then to see, that it was only intended to give Dorsetshire three Members, while a county inferior in importance and wealth was allowed four Members. Dorset here was, in fact, the only county that made out a case of gross injustice, even accord-ing to the principles which had been laid down by his Majesty's Ministers. With regard to the principle generally on which the third Member was to be given, he was inclined to think it would have been better to limit the Members to two, because, as every one must have observed, rights and privileges as they were extended became

less valuable, and individuals became in proportion careless in their exercise. He was therefore satisfied that the more votes a man had, the less careful would he be as to the candidate for whom he should vote. He thought it would be better, therefore, even in the case of a third candi-date, to limit the votes of the freeholders to two. He was aware, that there might be some difficulties; but he did not—standing on the side of the House on which he stood—feel himself under the necessity of always providing a remedy for the evils that might present themselves in the course of this Debate. It was for those who were speculating on the introduction of the plan, to propose remedies neces-sary for subverting the ills which, without those remedies, would naturally arise.

Sir *James Graham* did not think the hon. Gentleman had acted fairly, in se-lecting Cumberland on the present occa-sion, to make a contrast with the state of Dorsetshire. He, however, did not think the hon. Member was actuated by invidious motives in his selection, for he understood the family of Banks had property in Cumberland, and that he had the honour to number the hon. Gentleman's father as one of his consti-tuents. But notwithstanding that, the hon. Member had made some painful reflections on his Majesty's Ministers, which would have amounted, if expressed in plainer terms, to a broad charge of partiality. The reason why the hon. Gentleman had compared Cumberland with Dorset, probably was, that Dorset was the largest county to which three Members were to be given, and Cumberland the smallest, which was to have four Members. The hon. Gentleman had not stated the case so fairly as he might have done. The population he had given was undoubtedly correct; but he had omitted to state what were the number of Members to be re-turned from the counties respectively. Cumberland, under the proposed measure, would return eight, and the county of Dorset eleven. Even after allowing four Members for the county of Cumberland, and three for the county of Dorset, Cum-berland would return only one Member for 19,000 inhabitants, and Dorset one for every 13,000. Had Dorsetshire, ac-cording to the census of 1821, contained upwards of 150,000 inhabitants, it would, without any reference to the number of its boroughs, have been admitted to the right

of returning four Members. It would be impossible for the hon. Member to deny this short statement, and he was confident that it would relieve the Government from any charge, directly, or indirectly, of partiality towards Cumberland.

Mr. *William Bankes* regretted, that the right hon. Baronet had taken no notice whatever of one part of his (Mr. Bankes's) statement, namely, that which related to the comparative wealth of the two counties. He believed the number of houses above the annual value of 40*l.* in Dorsetshire, amounted to nearly double the number of the same description of houses in Cumberland; and of 10*l.* houses, the comparison was three to two in favour of the former county. Upon this ground he still maintained, that Dorsetshire had a decided superiority to Cumberland.

Colonel *Sibthorp* felt it his duty, without any sort of delicacy, broadly to charge his Majesty's Ministers with having acted partially. It appeared by the statement of the right hon. the First Lord of the Admiralty, that in Cumberland there was to be one Representative to 19,000 of the population, and in Dorsetshire, one to 13,000. Now, in Lincolnshire there was to be only one to 23,500.

Mr. *Keith Douglas* was sorry to hear the giving of Members to this and to that county talked of as a boon, which it appeared the Gentlemen who were the most likely to be returned for them, were unwilling to accept. The object of the House ought to be, to consider how the Representation could be improved in the most convenient and proper manner for the whole county. When he heard hon. and right hon. Gentlemen opposite, talk of this county having eleven Members, another ten, another eight, and so on, and that they still required additional Representation, he could not help turning his attention to Wales, where, in many parts, there was only one Member returned for a whole county; and he did not think, therefore, this arrangement was fair or just, and it was not the way to model the Representation so as to be satisfactory to the people. Looking at the population generally, he thought his Majesty's Ministers would act much more wisely in giving a second Member to some of the Welsh counties, instead of thrusting a third or a fourth Member on more of the English counties, which were already very well represented in Parliament. To Scot-

land, was given by the Bill a much larger constituency than to any other part of the kingdom, and yet, the most confined Representation. When the electors were to be so much increased in number, the Representation must also be extended in proportion, if justice or impartiality was considered. The constituency of Scotland was five times larger than that of any part of England, having the same number of Members. Hitherto, from twenty to thirty Scotchmen, who had accumulated wealth, by their industry and perseverance, in our foreign possessions and colonies, had been returned for the small English boroughs, and had been most useful Members, by affording information respecting the interests of our distant dependencies; but, as they would no longer find an entrance by those channels, it became necessary, in order to give Scotland a due share of the Representation, that her own Members should be increased. In England, this Bill gave a Member to about every 15,000 persons. In several of the counties of Scotland, they even had no burgh Member. The large counties, such as Aberdeen, with 158,000 inhabitants; Ayr, with 129,000; Edinburgh, with 195,000; Fife, with 176,000; Forfar, with 115,000; Lanark, with 249,000; Perth, with 141,000, and Renfrew, with 114,000, had only one Member each. If the taxation and wealth of Scotland were also taken into the account, this great inequality would be still more glaring. Members from Scotland would be an important accession to the House; but both Scotland and Wales being at a distance from the metropolis, and their Members not likely to have so much influence as those near at hand, their interests had, in a great measure, been overlooked.

Mr. *Stuart Wortley* said, the claims of Scotland to an additional Representation were very strong. But, as he thought those claims might more efficiently be urged at a subsequent period, he would reserve his arguments in their favour, until they came under the consideration of Parliament. As to one part of the arrangements contained in the clause under consideration, he would observe, if the House proceeded by the rule of population, according to the principles laid down by the framers of the Bill, that the only just way of calculating it in the counties was, to deduct from them that portion of population whose interests in the Representation

were already provided for in boroughs. Upon this principle, as well as upon the test of wealth derived from the amount of the 10*l.* householders, Buckingham had a stronger claim than Dorsetshire, or even Cumberland, to the privilege held out by the clause.

Mr. *Gillon* thought, that the noble Lord conceded a great boon to Scotland. He, in fact, gave it fifty Members, for it was not at present represented at all. He should be happy if, consistent with the plan of the Bill, an additional number of Members could be given to that country; but there would be a better time than the present for that discussion. He would vote for this clause, because other hon. Members opposed it, and because it would discourage a system of compromise which it was the object of the Bill to destroy.

The Marquis of *Chandos*, as member for Buckinghamshire, could not agree in the propriety of giving a third Member to that county. From all the inquiries he had made, and all the communications he had received, he was convinced there was no desire among its freeholders to have an increase of Representatives. The Bill diminished the number of Representatives in general, and as nine Members were left to Buckinghamshire, he conceived that that number was, in proportion to the whole body, amply sufficient to represent every interest in the county. The effect of the Bill would be, to increase the Representatives, and diminish the constituency. As 900 freeholders would be taken from the county electors, the addition of a third Member would only tend to encourage contests, and would, therefore, be injurious, rather than beneficial. In general, some kind of coalition would take place, and the weakest, consequently, would go to the wall. He, therefore, considered, that additional Representatives for Wales and Scotland, would be preferable to an increase of an odd Member for seven English counties. If he thought the additional Member for Buckinghamshire an advantage, after the honour that had been done him by the freeholders in electing him, notwithstanding all attempts at unfair opposition, he should be the first man to advocate their claims.

Lord *Althorp* said, it was remarkable, that many hon. Gentlemen who now complained of the inadequate Representation of Scotland, were among the most strenuous advocates of General Gascoyne's

Motion, which went to prevent any reduction of English Members, and, after this reduction had been decided on, they came forward and required an increase in the Representation for Scotland and Ireland, on the grounds of the disproportion now existing. It was strange they should in effect say, they would prevent the reduction of English Members, when the proportion was very large, and then turn round and declare, when the relative proportions were altered, that Scotland and Ireland required additional Members. With respect to the question now before them, the noble Marquis had said, the county of Buckingham did not desire an additional Member. That might be true, but it was impossible, that the framers of the Bill could have known this previously; and they went upon certain principles, intending to deal equal justice to all, although hon. Gentlemen had charged them with partiality. But it was remarkable, that most of those who had done this, acted upon the desire to acquire additional Members to the places or districts they were interested in. The county of Cumberland had been alluded to for this purpose, and a complaint had been made, that Dorsetshire and Buckinghamshire in particular, had not the same number of county Members allotted to them as that county. They were less in surface and population, it was admitted, but greater in wealth. The important consideration, however, of the number of boroughs in such counties, had been overlooked, and the necessary consequence flowing from it was, that the county constituency must be proportionably reduced, as no elector could have votes for both county and borough. On this account he was prepared to contend, that they had fairly treated the counties selected to return three Members. But the noble Marquis had taken the other side, and argued as if too much had been done for them. He was at a loss how to treat this objection, otherwise than by saying, that when complaints were made on conflicting grounds, the chances were, they had taken the right line by choosing the middle course. On that part of the objections he should say no more, but with respect to the noble Marquis's next objection, that three Members would necessarily increase the frequency of contested elections, if that should prove not to be the case, it would tend to the electors having a greater choice. At pre-

sent, a compromise frequently took place between the respective parties, each to return one Member, which, in a manner, excluded the freeholders from all choice. Whether that was the case in Buckinghamshire, the noble Marquis, from his connexions with that county, knew better than himself.

The Marquis of *Chandos* said, he had only dissented from the proposition of giving three Members to counties—he did not mean to oppose the extension of county Representatives generally. As the noble Lord had made some allusions relating to a supposed compromise in the county of Buckingham, he could assure him he was no party to it, and that he did not believe such a thing existed. At all events, he was elected by the free and independent electors, and would never represent the county on any such understanding.

Mr. *Pigot* was also of opinion, that the third Member was no boon to the Representation of Buckinghamshire. He could assert, that all the boroughs of that county were now under local influence, and that all the Members returned for them had property in the county. He believed there was no understanding relative to the return of county Members by the different parties; indeed, the late contest was a proof to the contrary. The additional Member had better be transferred to Great Marlow from the county.

Mr. *Dixon* was prepared to prove, that Scotland was entitled to a larger proportion of Members than was allotted to that country under the Bill; and at the proper time, he would submit a proposition to the House on the subject. The hon. Member (Mr. *Gillon*) had argued as if he only spoke the sentiments of the people of Scotland; but although he (Mr. *Dixon*) was returned by a small number of individuals, yet his return was considered most satisfactory by all the inhabitants of a large city, who were favourable to Reform, but thought justice had not been done them by their not being allowed a much greater increase of Representatives.

Mr. *Gillon* felt himself surprised at the allusion made to him by the hon. member for Glasgow. He would again declare, that the people of Scotland generally had no such feelings as were attributed to them by the hon. Member. They wished the Bill to pass in its present shape, and to consider afterwards what alterations

and changes might be necessary for their Representation.

Mr. *Blamire* said, that the hon. member for Marlborough, in his comparative statement between Cumberland and Dorsetshire, had omitted to notice, that in the former county there were considerable mining interests which did not exist in the latter, which was entirely an agricultural county, and that the borough Members were not so numerous.

Mr. *William Bankes* said, when the hon. Member made these observations, he should have added, that most of the miners would be completely under the control of their landlords, and he had forgotten there were very important stone quarries in the Island of Portland, which were daily increasing in value. While he was on his legs, he might, perhaps, be permitted to notice, that the noble Lord, the Chancellor of the Exchequer, had alluded to an apparent difference of opinion between his noble friend (the Marquis of *Chandos*) and himself: if any difference did really exist, it was rather in form and shadow than in substance.

Mr. *Charles Douglass* said, the deficiency in the number of Scotch Members had not been severely felt, from the number of hon. Gentlemen connected with that country, who had been returned for the small English boroughs; but as it appeared to be the object of Government to localize the Representation, it was positively necessary, on that account, that a greater share of the Representation should be allotted to Scotland. The proportion of county Members for England was as one to 30,000 persons; in Scotland, as one to 170,000. He therefore felt surprised at the small increase proposed. This was a subject which had excited great attention in Scotland, as would be found when the Reform Bill for that part of the empire came before the House, by the number of petitions that would be presented in favour of an increase. He only made these few observations, because it seemed to be inferred from the speech of the hon. Gentleman (Mr. *Gillon*), that the Scotch people were indifferent to these details. Whether population, wealth, or intelligence, was the criterion, that country was entitled to a large addition of Representatives.

Mr. *C. W. Wynn* had anticipated that objections would accumulate as they proceeded with the Bill, particularly with regard to the county and Scotch Repre-

sentatives. The deficiency of the latter had not been felt, from the system of virtual Representation in England, which was now to be destroyed, and which he considered had, on the whole, worked well, for by that means the wealth and intelligence of Scotland had been introduced into the House; but as the object now was to localize the Representation, and new Members had been given to several places for that purpose, which had not before been represented, the same arguments also applied to Scotland, which was justified in demanding an increase. He had voted for General Gascoyne's motion solely to prevent the English Representation from being reduced, but not to prevent an increase of Members in other parts of the empire. If they compared the Representatives of Wales with England, and if he understood the principle correctly, that it was proposed to give two additional Members to each county having more than 150,000 inhabitants, he was prepared to argue, that on the same principle by which additional Representatives were conferred on some large counties in England, the Representation of Wales ought to be increased. He was sure the noble Lord would not assert, that justice should not extend to Wales because it was a conquered country. If such objections should be made, they would apply equally to other places, for Representatives had been granted to Wales at an earlier period than they had been granted to some of the English counties; as, for instance, the county palatine of Durham, which had no Representatives until the reign of Charles 2nd, and now the Members to be returned for that county were to be increased from four to ten. At present Wales had but twenty-four Representatives, which was the number allowed by the 27th of Henry 8th, when the whole number of English Representatives were only 236. At that time the relative numbers were fairly proportioned; since then, however, the English Members had been greatly increased, and those for Wales had remained the same. It was only reasonable, that if an increase of Members were given to counties having more than 150,000 inhabitants, so as to make the numbers three or four, that a proportional increase should also be given to counties containing 80,000 or 90,000, and which at present returned but one Member. They certainly ought, on the

same principles of population to be allowed another Member. This would be apparent when the relative numbers of different counties was compared. For instance, Cumberland was to have an addition of two Members, making the number four—the population being about 150,000, while Carmarthen, which had 90,000, Denbighshire 76,000, and Pembrokeshire 75,000, had only one Member, and by this Bill were to receive no increase. That was not fair or just. The Members ought generally to be approximated to the number of inhabitants. He had never heard a sufficient reason assigned why Merioneth was to have only one Member, with 34,000 inhabitants, and Rutland, with 18,000, two. He therefore regretted that some clear and general principle had not been laid down and acted upon with respect to additional county Members. If it had been declared, that every county with less than 50,000 inhabitants was to have but one Member, above that number two, and increasing in proportion, there would have been some reason in such a method of arrangement. The anomalies which at present existed might be corrected by such a principle. If they were neglected, they would be calculated (when such great alterations were about to be made) to create dissatisfaction in different places, and particularly in Wales, hitherto one of the most peaceable and contented portions of the empire. In fact, he thought the people there would have some right to complain. If it were not for a very natural partiality in the framers of the Bill, Northamptonshire and Durham would not have received so great an accession of Members. Had the line been drawn at 175,000 inhabitants, instead of 150,000; both these counties would have been excluded from four Members. He did not mean to complain further of this than that Welsh counties, of greater population, and more decided claims, were neglected. By the present measure there were to be 403 Members for England and Wales, and out of this number only twenty-four were allotted to the principality; two Members were given to the counties of Huntingdon, with 48,000 inhabitants, to Westmorland with 50,000, and to Rutland with 18,000. Surely, therefore, the Welsh counties of Carmarthenshire, with 90,000, Pembroke with 75,000, and several others with a population exceeding 60,000, were also well entitled to two Representatives,

He should, however, take another opportunity to urge their claims more fully, being intimately connected with the country, and having a stronger regard for his own home than for places with which he had no connexion.

Mr. *Briscoe* said, if the effect of these Representatives would be to create more frequent contests, that would be beneficial, and would lead to the people being more fully and better represented by preventing the compromises between different parties which now frequently prevailed, but which an odd Member was calculated to put an end to. The right hon. Gentleman who had last spoke, seemed to infer, that the line of 150,000 inhabitants had been drawn to include Northamptonshire. He fully believed no such motives had prevailed in the noble Lord's mind, and the supposition of his being influenced by unfair motives appeared unjust.

Mr. *C. W. Wynn* said, he had attributed no such motives of unfairness to the noble Lord; he had inferred quite the contrary, and had only said, it was natural for a man to feel, as he acknowledged was his own case, attached to his connexions, and to a particular neighbourhood. He looked at them with laudable partiality and the influence was involuntary: but he trusted, and this was the extent of his remarks, and he had uttered no other wish than that such sentiments might not sanction injustice to other districts.

Sir *Charles Wetherell* contended, that no intelligible principle had been stated, on which it was proposed, that certain counties should return three Members. He was decidedly opposed to the clause, which seemed to be the offspring of caprice, not of principle. He knew, that in Oxfordshire they were not pleased with the arrangement. Ministers had drawn a line of population, and had acted upon it in this instance, but some future Reformers might take a higher line, and produce a sort of schedule B, and reduce thereby the Members for these counties to one, though, he believed, they would not suffer much by the reduction, for the contests to return the third Member would be endless, and would create great confusion. With regard to Members for Scotland and Wales, he should vote for an increase, for he believed much good would result from an addition to their Representation. No principle had been, or could be laid down, on which the robberies of the English

boroughs should be distributed among the counties to which it was proposed to give additional Representation, and nothing could be more absurd than the superfluous and unnecessary claims set up for them.

The question, that the blank in the 13th clause (that investing Berkshire, Buckinghamshire, Cambridgeshire, Dorsetshire, Herefordshire, Hertfordshire, and Oxfordshire, with the power of returning an additional county Member) be filled up by the number "3," agreed to. It was proposed, that the blank in the latter part of the same clause, authorizing Glamorganshire to return an additional Knight of the Shire for Glamorgan, be filled up by the number "2."

Mr. *Stuart Wortley* said, that this clause, giving two Members to Glamorganshire, made the claim of the Scotch counties to two Members stronger than any other part of the Bill which had been discussed. If the county Representation of Wales was increased, Scotland had also the same, or a greater right to have an increase. The Representation of Wales had been granted at a late period, by the united authorities of the King and the two Houses of Parliament, and was, therefore, not an integral portion of the Representation of England, which consisted of an assembly called together before any authentic records could be produced, shewing the way in which it had been first created. There was, therefore, a strong analogy between the Representation of Wales, and Scotland settled by the Union. Before that, Scotland had formerly possessed a more numerous Representation than at present, but the numbers had been then reduced, in order to make the amount of Scotch Representation proportionate to that of England. He concluded, that the principle applied equally to both countries; and further, the principle of double Representation had been recognized in the case of Ireland, which was allowed, at the Union, to continue to return two Members for each county. Now that the proportion of the three countries was changed, as it was by this Bill, he thought, that the number of Scotch Members ought to be increased. At present, there were but 356 10 $\frac{1}{2}$ houses unrepresented in Glamorganshire; while in Aberdeenshire, there were 784, and in Ayr, Lanark, and other counties, the amount was even considerably greater. If they examined the population, they would find a still greater dis-

proportion in favour of Scotland. There could, therefore, be no comparison between the claim of the county of Glamorgan, and that of these Scotch counties, some of which had so much increased in importance, on account of their wealth and intelligence, as fully to deserve an additional Member. He did not mean to declare, that double Representation should be given to all the Scotch counties, but to the chief counties. Whether they took the principles of justice or expediency for their guide, they ought to grant two Representatives to the large counties of Scotland.

Lord *Althorp* said, that the hon. Gentleman did not seem to object to the additional Member for Glamorgan, but had made the granting of that Member a reason for stating his opinion, that there should be additional Members for some of the counties of Scotland. He was not prepared to go into details on this subject, but he must say, that he did not think the arguments employed by the hon. Gentleman as to the Scotch counties, at all affected this case, so far as the Representation of Glamorganshire was concerned. They must look at the question in a more extended point of view than had been taken by the hon. Gentleman. It was impossible to separate the cases of Scotland from Ireland. Had they to create a representative assembly for the first time, they might introduce a theoretical equality of Representation; but they must take the case as they found it, and the feeling of the House, and throughout the country was, not to alter, in a material degree, the proportion of Members now returned by different portions of the empire. There were so many different interests affected by this Bill, that, though he admitted there was some force in the observations of the hon. Gentleman, the Government had not felt itself called upon to adopt that line of conduct which the hon. Gentleman now recommended; for there was reason to fear, that the introduction of so great a change into an important part of the measure might have had the effect of materially retarding its progress. Under these circumstances, he could not promise to adopt the suggestion of the hon. Member, and, at all events, the question of the number of Members that Scotland ought to have was not now before the Committee, who were called upon, at present, merely to say, whether

the county of Glamorgan should have two Members.

Sir *George Clerk* said, that although the noble Lord would not now go into the details of this question, it was one to which it behoved him to turn his most serious attention. The noble Lord seemed to admit, that Scotland, from its increased wealth and intelligence, deserved to have an increased share in the Representation; but then he gave, as reasons for not having given it that increased share by this Bill, that some jealousy might be excited in the minds of the English people, and that the Government was afraid, by making so great a change in an important part of the measure, of delaying the progress of the Bill. What, was the noble Lord afraid of change, when this Bill itself, from beginning to end, was intended to produce one of the greatest possible changes in the Constitution of the country? The argument was certainly an odd one to come from the noble Lord. Scotland was now in some sort represented by Scotchmen, who sat for English boroughs, and who were just as valuable to the interests of that country, as if they were elected for Scotch burghs; but when these boroughs were destroyed, that kind of Representation would be at an end, and that would be a change that ought to be provided for, by giving to Scotland an additional share in direct Representation. It certainly would not excite the jealousy of England to give additional Members to the large counties of Scotland. The House had been told, that it was necessary to give seven new Members to counties in England, to balance the number of large towns to which Members had been given, more than was originally contemplated. Now, all they desired was, that the same justice should be dealt to the Scotch counties; but, instead of that, it was proposed to increase the borough Members there by seven, and decrease the county Members by two. Several of the English counties did not desire the additional Members; but, as they were given to them upon principle, the same principle ought to be extended to Scotland. In England, it so happened, every county with above 100,000 inhabitants would receive three, if not four Members. Now, they required that Scotch counties, containing the same population, should also obtain an additional Member, and return two, as was the case before the Union. The same claim

could not be made for the burghs, for they never had but one Member in the Scotch Parliament. The great change made by the noble Lord had, as it was said, for its basis, to equalize the Representation, according to wealth and population, but, in Scotland, that principle was departed from.

Mr. *Pringle* hoped, from the tenor of the noble Lord (Althorp's) speech, that the claims of Scotland for additional Representation would yet obtain a favourable consideration. It appeared, that the great obstacles in the way of it were the claims of Ireland and the jealousy of England. But there was a material difference between the claims of the former country and those of Scotland, which he thought necessary to bring under the attention of Government. In doing this, he did not wish to pronounce any opinion as to the claims of Ireland to increased Representation, but merely to contrast them against the claims of Scotland, which stood on very different grounds. At the several Unions, it was a fair presumption, that the number of Members assigned to each was adjusted on a fair computation of their relative importance in wealth, population, and contributions to the public revenue. Taking that as the basis on which future claims for Representation were to be settled, when such sweeping alterations were to be made as at present contemplated, and when the whole previous system of Representation was to be overturned, they ought to recollect, that the union with Scotland took place nearly a century before that with Ireland, and since that period, the relative importance of Scotland, in all that concerned wealth, population, and revenue, had greatly increased, while the wealth and revenue of Ireland had remained nearly stationary, though its indigent population had greatly increased. On all these accounts, Scotland could make out a strong claim which could not be urged in favour of Ireland. Another consideration was, to compare the revenue and charges of each country. In Ireland there was no surplus revenue, but, on the contrary, it required nearly all the surplus which was contributed by Scotland to defray the expenses of her government and defence. He was also at a loss to understand, why the relative proportions of Members for counties and burghs, which had been adjusted at the Union, was to be altered. Was it that the manufacturing and commercial interests of Scotland had increased

in a greater ratio than the agricultural? He believed, on a thorough investigation, that would be found not to be the case, and to furnish no grounds for the proposed change. If it was expedient to augment the number of Members for burghs, on account of their increased affluence and weight, it was also right that the number of county Members should be increased. To reduce them, appeared to imply, that the agriculture of Scotland was decaying, which most assuredly was not the case. He felt these considerations would not be lost upon Ministers, and that they might yet hope for an increased county Representation when the interests of Scotland came to be discussed.

Lord *Granville Somerset*, recurring to the question under discussion, being a Member for a Welsh county, and deeply interested in whatever related to Wales, must be permitted to say, that the increase in the population, in the industry, the wealth and intelligence of the people of Glamorgan was such as fully entitled them to have an additional Member, independent of the peculiar circumstances that made that desirable. That claim being granted, would increase the claim for the principal Scotch counties to have also an additional Member. He had objected to the diminution of English Members, but now that the relative proportions had been broken down, it was just and reasonable that the full principle of the Bill should be followed throughout, and that the several parts of the United Kingdom should be governed by their particular circumstances, and not by any fanciful notions of the noble Lord, who was the great advocate and proposer of the measure. He should support the Motion.

Mr. *Briscoe* did not see why discussions upon the English Bill should be so much protracted by unnecessary references to the state of Representation in Ireland and Scotland. That would more properly be the subject of discussion on another and more fitting occasion; and, as there would be thirty English seats disposable after this Bill had passed, any increase for Ireland or Scotland, that was shown to be absolutely necessary, might be given out of that number.

Sir *Charles Wetherell* said, it was necessary to mention the subject now, for when the Scotch Bill was produced, it would, perhaps, be got through in such a hurry as not to leave them the opportunity

of getting the number of Scotch Members increased. The hon. member for Surrey was mistaken in saying they had English seats to dispose of; they were altogether abolished, and no seats were to be given except those named in the Bill. The Scotch Members, therefore, possessing the proverbial sagacity of their country, were not likely to wait and be ultimately told, "We are sorry your claims cannot be attended to, as we have no seats to give away, or time to attend to you."

Sir *John Malcolm* said, that when, in the last Parliament, he had voted against the decrease of English Members, he had assigned as his reason for doing so, that many of his countrymen were billeted upon England. Twenty-two Scotch Gentlemen, of whom he had the honour to be one, who were now Representatives for English boroughs, would, by the success of the present measure, be unseated; and as it set aside the fundamental principles of the Union, by which the number of Scotch Members was fixed, they had a right to claim an increased and direct share of the Representation, in proportion to the population, property, and revenue of their native land. The Scotch Reform Bill was at present, in their eyes, a measure of much importance, and he objected to its provisions, which he thought would not improve the Representation from that country.

Motion that Glamorganshire have three Members, agreed to.

On the question, that the clause, as amended, stand part of the Bill,

Mr. *Praed* said, * I believe it will be regular for me now to propose the amendment of which I have given notice. That notice, Sir, has been upon the paper for so short a time, that many Members may possibly be hardly aware of its existence: it will be well, therefore, in the first place, to state to the Committee the terms of the Motion with which I shall conclude. I shall move "That no person who shall be qualified to vote in the election of Members to serve in Parliament for any one of the first-mentioned counties, that is to say, Berkshire, Buckinghamshire, Cambridgeshire, Dorsetshire, Herefordshire, Hertfordshire, and Oxfordshire, shall have the right of voting for more than two candidates at any such election." The Motion has one merit, or demerit, for I

scarcely know which it should be called—that it cannot be conceived to have been suggested to me by a desire to conciliate the favour, or to advance the interests, of any particular person or party in the State. This circumstance ought to ensure me an impartial judgment; I fear it may not obtain for me an attentive hearing. Yet no motion ever stood more in need of an attentive hearing; for without it, such is the novelty of the principle which I venture to introduce to the Committee, I know it cannot be entertained for a moment. I will pray hon. Members not to suppose, from the mere novelty and strangeness of the proposal, that I bring it forward out of an idle fondness for singularity, or a fantastic partiality for speculation and theory. The Committee may be assured that I estimate too highly the value of their time, and remember too constantly the importance of the task in which they are daily engaged, to have obtruded this Motion upon their notice if I had not myself bestowed upon it much thought and study—if I had not a firm conviction of the truth of the principle on which it is based, and a deep sense of the benefit which would result from its adoption; and I would entreat hon. Members not to forget, that however strong may be the prejudice with which they may regard the introduction of a perfectly new principle into our representative system, it is still a naked prejudice. For upon what do we rest the right hitherto enjoyed by the member of the constituent body, to vote for the full number of Representatives by which the body to which he belongs is to be represented? Upon nothing, surely, but long, prescriptive usage, originally adopted without reflection, and subsequently acquiesced in without dispute. Even in these recent debates, in which we have been taking to pieces the whole frame-work of Representative Government, the particular part of its machinery to which I invite the attention of the Committee has been wholly unnoticed. Whether the Representation should, or should not, be taken from Gatton and conferred on Leeds, is a matter on which much has been said; and, probably, the most part of us have made up our minds by what class of voters the elective franchise, which we extend to Leeds, shall be exercised. But by what rule shall the exercise of that elective franchise be regulated, so that the wishes, the opinions, the interests of Leeds, may

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be most fully and fairly represented in Parliament? I venture to say, it is a question for which no member of the Committee has yet meditated an answer. I say this the more confidently, because in the course of these protracted debates, a sentiment arising, as it seems to me, from a very mistaken view of this point, has been frequently expressed, more than once applauded, and never, to the best of my recollection, analyzed or exposed. I allude to the horror which seems to be generally felt of a compromise in the election of Members of Parliament, between parties entertaining different opinions. The member for Oxford, in proposing that the counties divided by the Bill into districts should return each four Members without division, anticipated the objection, that in such a case a compromise would take place between parties, and answered it by reference to the returns at the general election for the city of London and the county of York. The noble Lord opposite asserted the objection, and maintained, that the answer to it was insufficient. To-day we have heard an hon. Member talking of "compromise and corruption," as if there were any natural connexion or similarity between the two. Sir, a few minutes' reflection will convince that hon. Member, that the compromise he condemns, is only a means, an unsafe and imperfect means, of obtaining what I would seek by more direct and certain enactment—the full Representation of all classes of the community in Parliament. I can assure the noble Lord, that the apprehensions which induce me to bring forward this Motion, were suggested to me by some who were unfriendly neither to the Bill nor to its authors. I heard fears expressed by many who approved of much of the Ministerial plan, that its effect would be, by throwing the constituent body universally into populous masses, to shut out the minority on great national questions, from its fair share in the deliberations of Parliament. And of course this evil would be severely felt, if it should ever happen that the country should be divided by a question which should place a minority of number, but a majority of property and intelligence, in opposition to a majority, perhaps a large majority, of number, but a minority, perhaps an insignificant minority, of property and intelligence. I believe that the remedy for this mischief may be found in the removal of an error, which

exists in the very first principle on which we found Representation. What, then, do we understand by the very word "Representation?" If we desire that the Representatives of a numerous constituency should come hither merely as witnesses of the fact, that certain opinions are entertained by a majority of that constituency, our present system of election is certainly rational; and Members are right in their reprobation of a compromise, because it would diminish the strength of the evidence to a fact we wish to ascertain. But if we intend, as surely we do intend, that not the majority only, but the aggregate mass of every numerous constituency, should, so far as it is possible, be seen in the persons, and heard in the voices, of their Representatives—should be, in short, in the obvious and literal sense of the word, "represented," in this House;—then, Sir, our present rule of election is in theory wrong and absurd, and in practice is but partially corrected by the admission of that compromise on which so much virtuous indignation has been wasted. For let us examine the results to which, in theory, our present rule may be shown to lead. Sir, with the leave of the Committee, we will first examine these results, with reference to the more familiar and simple case of a numerous constituency returning two Members to Parliament. The case, to which my amendment is applied, is that of such a constituency returning three Members. And I will beg the Committee, as I go on, to bear in mind, that every consideration which makes for me, where the constituency returns two Members, will derive additional weight when the constituency shall return three—and that every objection which will occur to their minds as to the first instance, will be found less formidable, when they come to apply it to the other. Let us take then a constituency of 12,000 voters, and let us suppose that upon some subject of great temporary interest, such a constituency is divided in opinion. It is clear that a bare majority of such a constituency, 6,001, out of 12,000, combining in support of one set of candidates, may return the whole allotment of Representation, leaving 5,999 voters—I do not say *un-represented*—but, if the question on which the division is taken, be one on which strong differences prevail, *mis-represented* in the grossest manner. Look at the present Representation of the county

of Northampton. I select that county, because I would appeal not only to the noble Lord's justice and discernment, but to his compassion and generosity. The county of Northampton has two Representatives in this House, noblemen of talent and integrity, acquainted doubtless with the local interests of the county, and desirous to promote them. But remembering how the poll stood at the closing of the poll-book, I would ask of the noble Lord himself, if the county of Northampton, not the majority merely, but the county at large, were fully, and in the fair sense of the word, represented in this House—would not Mr. Cartwright have come hither as the colleague of the noble Lord? Again, observe the present Representation of the University of Cambridge. Of course I am well satisfied in this instance with the results of our old system; yet knowing, as I know, how large a portion of the numbers, the learning, and the reputation of the University, supported the unsuccessful candidates at the last election, I am bound to admit, that the opinions of the University are not, in my understanding of the term, represented in Parliament. Sir, I cannot ask the Committee, upon the first suggestion of these things, to adopt my conclusions; but is it not worth while to consider, whether there may not be something unsound in the foundations on which so faulty a superstructure is raised? Let us investigate the results of our present system in another point of view. Let us take two large constituencies of 12,000 voters each, and let us suppose that on some question of importance, the feeling upon which is to decide the fate of an election, the one constituency is divided as before, the other unanimous. From the first constituency you have two Members returned by a bare majority; setting aside from the majority a number of votes equal to those which constitute the minority, you have, in fact, two Members representing two constituents. From the other constituency you have two Members chosen by the unanimous suffrage of 12,000 men. Now, is it reasonable to give, in your parliamentary expression of the national sense, as much weight to the bare majority here, as to the undivided unanimity there; to represent a constituency of two, as you represent a constituency of 12,000? The county of Northampton was pretty equally divided, at the last election, between the

noble Lords and their opponents; the county of Devon was uncontested, and therefore (I will admit, in compliment to the noble Mover of the Bill, what I know was not the fact), may be taken to have been unanimous. Is it equitable to represent the balanced neutrality of Northamptonshire, just as you represent the active unanimity of Devonshire? I say again, Sir, is it not, at least, worth while to consider, whether there may not be something unsound in the foundations on which so faulty a superstructure is raised? Sir, I supported last night the clause of the Bill which provides for the division of counties, on principles similar to those on which I ground my Motion to-day. The division of large counties into districts will give to the minority in those counties a surer hope of Representation. As I have before shown, out of a constituency of 12,000, a majority of 6,001 may at present return the whole allotment of Representation. But if you divide the large constituency of 12,000 into two smaller constituencies of 6,000 each, you will require a larger majority of the whole number to give you a majority in each of your divisions; and, as you continue to subdivide your first numerous constituency, the majority requisite for the stifling altogether of the opinions of the minority will become greater and greater. Look once more to Northamptonshire. If that county had been divided into two parts previous to the last election, I question—speaking from no local knowledge on the subject—I question whether any partiality in the drawing of the line of division could have prevented the Representation of the sentiments of the minority by the return of Mr. Cartwright for one of the divisions. With respect, however, to the counties to which my Motion applies, no division is contemplated; and I propose to effect the object which in my vote last night I had in view—the fair Representation of a respectable minority—in a different manner. Let us examine, first, the result of the principle I desire to introduce, if it were applied to a constituency returning only two Members to Parliament. In this case my principle would allow to each voter but one vote. Let us take, as before, a constituency of 12,000; it is obvious that a bare majority would now be able to return but one of the two Members. But this rule would not extend so far as that any minority, however small and con-

temptible, would have the power of returning a Member. So soon as the majority should exceed two-thirds of the whole constituency, it would be able, by a division of its strength, to return both Members. Of our 12,000 voters, 6,001 could return but one Member; 8,001 could return both; 5,999 might return a Member; 3,999 would possess no such power. There is this practical objection to the operation of the principle in this instance; the minority would not only be represented, but would be represented on equal terms with the majority. For my own part, balancing the disadvantages of the two systems—observing that the system I propose would give to a minority of more than one-third too much Representation, and that the system we at present employ gives to a minority of nearly one-half no Representation at all, I have very little hesitation in preferring the new to the old inconsistency. But I will go on to the case which is involved in the clause before us. This clause gives to seven counties the right of sending three Members to Parliament. I do not participate in the repugnance, felt by many of my hon. friends, to the assigning of three Members to a numerous constituency. If it is desirable that the opinions both of the majority and of the minority should be represented here, and if it is reasonable that the majority should have a larger share than the minority in such a Representation, surely we cannot accomplish our end more securely than by giving three Members, not to these counties only, but to all numerous constituencies. Nevertheless, the objection we have before stated recurs; the combination of a bare majority can return the whole allotment of Representation, and the grievance of the misrepresented minority becomes greater, as the Members chosen by the represented majority become more numerous. Now, Sir, I propose, that where a constituency is to return three Members, each voter of that constituency should have only two votes. What would be the result? I would remark, first, that we inflict no hardship on a single individual, we deprive no man of even a fancied privilege; the freeholder in Buckinghamshire will give as many votes in a county election as he has ever given; he will give as many votes as his brother in Bedfordshire is, by the provisions of this Bill, to give. It is impossible to argue that the member of a body has a vote the

less, merely from the fact that the body of which he is a member has a Representative the more. What then would be the result? Taking the constituency of 12,000, as before, we find that a bare majority, 6,001, can return two Members out of three; and a minority, varying from more than one-third to nearly one half, can command—what?—a minority, a third only, of the Representation. So soon as the majority shall amount to more than two-thirds of the whole constituency—so soon as it shall exceed the minority in the ratio of two to one, it will, as before, return the whole allotment of Representation. The noble Lord expresses dissent; and I think I can guess what is passing through his mind. He will tell the Committee presently, that a majority will be afraid to divide its strength so as to secure the whole Representation; and that I presume too much on the possibility of accurate and extensive combination. Granted. But the fears of the minority would act occasionally in the same manner. In one year a minority, in the next a majority, would abdicate the power which strict arithmetic would give them; and my proposition, stripped of its numerical exactness, will be found to be generally true. The reasoning on which I have relied is applicable to all times and circumstances alike. It is generally true, that a respectable minority ought to be represented; that upon our present system it will find Representation only through the insecure gate of compromise; that upon the plan I would substitute, we should afford to it a more certain and less objectionable path to Representation. But in the contemplation of the time in which we live, and the circumstances under which we deliberate, although I find no new proofs of the truth of my proposition, I see much additional cause for insisting on the importance of its adoption. Is the state of the country such that we can safely calculate upon compromise as a future basis for the Representation of the minority? I will indulge in no exaggerated prophecies of the mischiefs which are to be immediately consequent upon the passing of the Bill of his Majesty's Ministers. I desire neither to mistake nor to over-state anything. I have no near vision of a prince on the scaffold, or of a murderer on the judgment-seat; I see few sans-culottes in our streets; and as yet, I hear but a very faint echo of our Marseillaise. Yet I

cannot but see, that the agitation of this important question, to whatever good it may finally lead, has, for the present, unsettled the public mind, and disordered the natural and wholesome influences under which men ordinarily act. I speak of no particular party or class of society. It will not, it must not be denied, that in all ranks, from the highest to the lowest—in all intellects, from the most cultivated to the least refined—there is a vague spirit of speculation—a restless distrust of the stability of all existing institutions—a fearful wondering at the work of to-day—a doubtful looking onward to the event of to-morrow. There is, too, that most alarming of all symptoms by which we judge of the health of the body politic—a suspicion—ludicrous if it were not dangerous—of the motives of all public men; and a readiness to find purposes the most improbable, and actions the most impossible, in the breast and in the conduct of all who are conspicuous by their station or their talents. The noble Lord and his colleagues have enjoyed, no doubt, their full allowance of the credulity of hostility. It is not long since one of our most influential Journals gravely announced to us the advent of a Tory counter-revolution. The right hon. member for Tamworth, in the anticipations of the far-sighted scribe, at the head of a corps of 40,000 yeomanry, is to assemble a parliament in a distant part of the country; and soon, with some antitype of you, Mr. Bernal, in our Chair, we shall be in Committee at Peebles or Penzance, discussing the abrogation of Magna Charta, or the suspension of the Habeas Corpus Act. I have found a man rational enough in other matters, performing sufficiently well the common duties of life—

Not quite a madman, though the pitcher fell,

And far too wise to walk into a well,

giving a doubtful faith, a sort of bashful acceptance, to this most prodigious absurdity. Why have I alluded to these signs of the times? It is because I cannot but remember, that while the public mind is thus prepared for excitement, that excitement will certainly and speedily be supplied by the agitation of questions which will exclude all terms of friendly compromise from the minds of contending parties. Upon the Question of Reform, it is admitted, it is boasted, that no compromise was suffered. The propriety of continued restrictions on the importation

of the prime necessary of life—the expediency of a prolonged union with a country which is daily struggling to escape from our embrace—the utility of an hereditary Legislature, controlling by its after-decree the will of the assembled nation—the sanctity of the revenues of a hierarchy, against whose cope and mitre the whisper of its enemies already is swelling into a murmur—can we not conceive, that on all, or on some, of these mighty themes, society should be so divided, class against class, as that no compromise should moderate the victories of political zeal? And if it be possible, barely possible, that in such a conflict of interests and inclinations, an opulent, a numerous, an intelligent minority, may have to contend with a sincere but mistaken majority, do we demand too much, when we say, give to such a minority—not control, not resistance, not supremacy—but the privilege of being heard; heard—not only from the hustings, where the appeal is made more effectively to the hasty passion, or to the inveterate prejudice, than to the cool judgment and the sober memory of men; not only in the market-place, where argument is confuted by clamour, and the statement of a fact met by the discharge of a brickbat; but here, in this House, where we trust Reason will yet be listened to, though she may rise on the left side of the Speaker's Chair. These are the considerations, Sir, which induce me to recommend the principle on which my Motion rests, to the serious attention of the Committee. I have no desire to press my Motion to a division to-day; because I am aware that its principle, however just, is so startling and new, that it cannot find favour till after much more examination than can be given to it in the course of a single and a brief debate. I have introduced it, in the earnest hope that it may be examined—that it may receive from his Majesty's Ministers, from this House, and from the public out of doors, that attention which, in my conscience, I believe its justice demands and deserves. I will notice a few of the objections by which I may be met, beginning with those which were urged last night by the hon. member for Kirkcudbright. He can scarcely complain if I reply to him in his absence, since his observations were directed against my Motion before it was before the House, and at an hour at which it was clearly im-

possible that it could come before the House. He fears, in the first place, that if only two votes are allowed where three Members are to be returned, the whole of a large constituency may concentrate its good opinion upon two fortunate individuals, and the Sheriff find no third name upon the poll-book. Sir, if I had entertained a doubt of the correctness of the principle on which I was about to argue, how must my conviction have been confirmed last night, on finding, that to the active and searching mind of that hon. and learned Member, no more satisfactory answer presented itself, than one built upon so unnatural, so impossible an hypothesis! If such a fear is to influence legislation, we ought not to permit only, but to compel, the voters for the City of London to exercise their right of voting for four candidates; for it is at least a possible contingency, that, under our present arrangement, but three names should be found upon their poll. The hon. Member's second objection is a more plausible one. If, he says, you give to each voter but two votes, you may have two candidates so overwhelmingly popular, that they will unite the suffrages of all well-judging men; a third candidate of blameless character will thus be left unsupported; and a fourth, with no merit to recommend him, may come in by the votes of a small and ill-disposed minority. I answer, that where three Members are to be returned, no regulation of the elective franchise will prevent the occasional return, by management on the one side, or miscalculation on the other, of a candidate not entitled to success by the due share of the popular support. But such an evil is less likely to occur under the regulation I would introduce, than under those which at present exist. Has it not been alleged, as an ill-consequence upon the giving of three Members to counties, that the third Member will often be a man unknown to, and unrespected by the county at large? This will happen only on the supposition, that many of the constituency will have a waste vote—a vote to spare, after the gratification of their own natural partialities, and that this vote will be bestowed on the first comer who may chance to solicit it. If, by the allowance of two votes only to the voter, we confine his exercise of the elective franchise within the sphere of his own local knowledge, of course we avoid, rather

than incur, the danger against which the hon. and learned Member has warned us. We may be told, however, that this is a most extensive and extraordinary innovation in the constitution of our representative system; and that it ought not to proceed from this side of the House, from one of the partizans of antiquity, and the sworn foes of change. I might retort, that the defence of old usage would sound as strangely from our opponents, as the advocacy of new theory from this. But I do not think any thing is gained to either party by bandying backwards and forwards the charge of inconsistency. In certain anomalous institutions, we found, or thought we found, a security for the representation in this House of the feelings and opinions of the minority, confessing that, upon the abstract principles of Representative Government, we could not vindicate those anomalous institutions. You have destroyed that real or imagined security. Let us now try if, by a more perfect adherence to the abstract principles of Representative Government, we may not replace it. We have not cheered the noble Lord, as he embarked on what seemed to us a far and perilous voyage. But he is fairly on ship-board. We are guilty of no inconsistency, if we advise him to provide himself with the best instruments, and the most correct chart. The hon. Member concluded by moving, "That in the seven counties to which three Members were assigned by the clause, each constituent should have the right of voting for two candidates only."

Lord *Althorp* said, that the argument of the hon. and learned Gentleman had proceeded upon extreme cases—upon cases so extreme, that he did not believe they would ever occur in practice; at least they had not occurred in the history of any country with which we were acquainted—not even in countries where the system of Representation had been as popular as it was possible to make it. In the United States of America, for instance, there had always been a minority in the Congress. During the French war, too, which in the early part of it was exceedingly popular in this country, there had always been a minority in that House, though only a small minority; and it was worthy of remark, that many of the Members of that minority were returned for populous places, and that the leader of it was member for Westminster. The hon.

and learned Gentleman had most unwarrantably assumed that the minority would always be so large and so respectable as to deserve Representation. He thought, however, that when a county returned three Members, it would be clear that the minority must be very small indeed if all the three Members returned were men professing the same politics. He had had no small experience in elections, and he had found that there was the greatest possible difficulty in persuading electors to give their votes to two candidates, though both professed the same politics. Every Gentleman who had been engaged in county elections knew that there were always private and personal considerations which induced electors to give their second vote in a different manner to that in which they had given their first—he meant in a different manner with regard to the political principles of the candidates. The late general election furnished an exception to this otherwise general rule; but it furnished that exception only because there had hardly ever existed before so strong and so universal a feeling upon one political question. He would only add, that he saw nothing in the proposition of the hon. and learned Gentleman, or in the reasons by which the hon. and learned Gentleman had supported it, which ought to recommend it to the adoption of the Committee.

Mr. *Praed* felt himself bound to state, before he withdrew his amendment, that he must deny, that he had proceeded upon extreme cases. He had certainly said there might be a case in which 6,001 persons in a county would be fully represented, and 5,999 unrepresented; that, however, he had merely said to illustrate his argument in the strongest and clearest manner. The case which he had really supposed was, that a small majority might return all the Members, and thereby leave a large minority wholly unrepresented. Nothing which had fallen from the noble Lord had shaken his conviction of the soundness of the principle which he had advocated, not even the allusion to America. When the noble Lord said no such results had there taken place as he (Mr. *Praed*) had anticipated here from popular elections, the noble Lord should have recollected the circumstances were different, and no questions were likely to arise there to divide the people; but here it was extremely probable, such questions

might prevail as would tend to set class against class, as appeared in a very recent case. But there was also another distinction between the United States and this country. The legislature of America had provided that no change should take place in the Constitution of that country, without the consent of at least two-thirds of the constituent body. We had no such security against great constitutional changes, and were therefore bound to take care that a mere minority should be duly represented. With reference to the late contest for Northamptonshire, the noble Lord said, that if there had been but three candidates, two on one side, and one on the other, it was probable the result might have been different, as the two parties were so nearly balanced, and each would have returned a Member; but here the evil he complained of appeared; the opponent parties being equal a small majority would carry all the Representation. The same result would invariably take place on any question likely to excite exclusively the minds of the electors. If they had votes for all the candidates, whether they were three, or thirty, they would be returned on one side. The noble Lord said, there was no instance in the parliamentary history of this country, where such a case had occurred, and he referred to the minority of the House, in the early part of the Revolutionary war, which was then very popular. He knew, that several Members had seats for populous places, who advocated unpopular opinions according to the notions of the times, but he was not sufficiently acquainted with the transactions of that period to make any material objections to the noble Lord's illustration, further than that he was most anxious to avoid any compromise of principle, and therefore wished that measures should be taken to ensure, at least, a hearing for the voice of the minority. He therefore had no objection to a third Member; he rather advocated the necessity of one, but he wished to confine the number of votes of the electors to two, when the candidates were more than that number.

Lord *Althorp* said, in alluding to the minority in the early part of the French war, he merely wished to shew that where there was a large minority, some of the Members would be sure to be elected for populous places. The minority to which he then referred was undoubtedly extremely unpopular at the time, and yet

some of them were Members for the most populous places.

Mr. *Sadler* would take that opportunity of referring the House to a speech of Mr. Fox, made at the time alluded to. He said, the advocates of liberal principles were then so unpopular throughout the country, that liberty itself was in danger of becoming unpopular, and falling into disgrace with the English nation. This remark was a most striking illustration of the unpopularity, at certain periods, even of those who usually advocated what were called popular opinions.

Mr. *Præd* would beg leave finally to remark, that however staunch a reformer, the noble Lord might be, yet he could not deny, that the details of the Bill would not have been sufficiently argued or understood, had the opinions of a most respectable minority, for wealth, rank, and intelligence, not been fairly represented in that House upon the present occasion.

Amendment withdrawn, and the original clause agreed to.

Lord *Althorp* said, that as the time had now very nearly arrived at which they usually closed their proceedings on a Saturday, he should move that the Chairman do report progress. In making this Motion, however, he should take the opportunity of explaining to the Committee the nature of those alterations in certain clauses of the Bill which Government intended to make, and which he had last night promised to take the earliest opportunity of putting the House in possession of. The alterations which the Ministers proposed to make were not alterations in the principle of the Bill. They left the principle of the Bill untouched, and they only tended towards carrying that principle into more perfect and complete operation. The first clause which it was proposed to alter, and to which he begged now to call the attention of the Committee, was the sixteenth clause. The object of this clause was, as the Committee were aware, to give the right of voting in counties to copyholders who possessed a copyhold estate for life, or any larger copyhold estate of 10*l.* a year value; to leaseholders who held property on lease for any term of years not less than sixty years, and of the yearly value of not less than 10*l.*; and to leaseholders, who held property for any term not less than seven years, on which property a yearly rent of not less than 50*l.* should be reserved, or for

which a fine of not less than a certain sum (which sum was not yet specified) should have been paid. The sixteenth clause proposed to add the class of voters here enumerated to the freeholders in the elections for counties. Now, in the wording of this clause a doubt had arisen whether the words, "who shall hold any lands or tenements by any lease, assignment, or other instrument," would include agreements for leases, which agreements, as the Committee were aware, gave an equitable title, as the actual lease or assignment gave a legal title. From the suggestion of this doubt had arisen the alteration which the Government intended to propose in the wording of this clause. The analogy which the Government desired to follow out was this—the equitable title to freehold property gave, under the existing law, which law it was not proposed to alter, the right of voting for county elections; and the Government were desirous, that the equitable title to the leasehold and copyhold property, specified in this clause, should, in the same manner, give the right of voting for counties under this Bill. A very slight alteration in the wording of the clause would, he understood, carry into effect this object of the Government. The words "seised of and in any lands or tenements," would, he was informed, be taken to apply only to the actual occupation or legal estate of such lands and tenements; and if so, these words would of course bar all equitable titles to such lands and tenements. These words, therefore, must be altered, as also must the words to which he had before adverted, and which occurred in two places a few lines lower down in the clause—the words "who shall hold any lands or tenements by any lease, assignment, or other instrument." He was informed, that if the word "have" were inserted in the places of the words "be seised of and in," and if these words, together with the words "by any lease, assignment, or other instrument," were struck out, the clause would give the right of voting to those who possessed equitable titles to the species of property specified in the clause. By this alteration, the clause would stand thus—"Every male person, &c. who shall have any lands or tenements for an estate for life, or for any larger estate of at least the yearly value of 10*l.* above reprises, holden by copy of court-roll, &c., or who shall have any lands or tenements for any term not less than sixty years, and

of the yearly value of not less than 10*l.* above reprises, or for any term not less than seven years, whereon a yearly rent of not less than 50*l.* shall be reserved, or for which a fine or premium of not less than — pounds shall have been paid, shall have the right to vote," &c. He should here observe, that it was proposed in this clause to fill up the blank after the words "fine or premium of not less than," with the words "three hundred pounds." The calculation might not be quite exact, but it had been reckoned that a fine of 300*l.*—calculating at four per cent, would be about equal to a lease for seven years, at a rent of 50*l.* a year. In the twenty-third line a slight verbal alteration would also be proposed to give to the lessee under a copyholder the same power as a lessee under a freeholder. It was his hon. and learned friend, the member for Kirkcudbright, who suggested that a copyholder, under this clause, was not put in the same situation as a freeholder, and it being the intention of government that a copyholder should have the same power as a freeholder in everything, except as to the value of the qualification, the copyholder being required to have an estate of the value of 10*l.*, whilst the freeholder could vote in respect of an estate of 40*s.*, a slight alteration was necessary. He did not apprehend that this distinction would be very important in practice, as the number of copyholders of 40*s.* a year was not very great. These were the only alterations which it was proposed to make in this clause. The Committee would see, that they were merely verbal alterations, and that they were made for no other purpose than to confer upon equitable titles to copyhold and leasehold property, that right which at present attached to equitable titles to freehold property. This was the only object which the Government had in view. In the next clause to which he had to call the attention of the Committee, the alterations which it was proposed to make in it were more numerous, but they also were alterations of a merely verbal nature, the effect of which would not be greater than the effect of the alterations in the sixteenth clause, and which, like the alterations in that clause, tended only to carry the principle of the Bill into more complete operation. This clause was the twenty-first, which, as the Committee were aware, regarded the right of voting in boroughs. The object of this clause was, to

give the right of voting in boroughs to all occupiers of houses, warehouses, or counting-houses, which were *bonâ fide* of the yearly value of 10*l.*, or rented at 10*l.* a-year, or rated to the relief of the poor upon a yearly value of 10*l.*, or assessed to the taxes at 10*l.* a-year. In this clause the Government had made a mistake, with which they had been so frequently taunted by the Gentlemen opposite, that every Member of the Committee must be quite familiar with it. This mistake consisted in their having attached to the clause a proviso that the rent of these 10*l.* houses must be reserved half-yearly. He need not add, that the Government, on discovering their mistake, had immediately abandoned this proviso; but it might be as well that he should state how the Government had been led into that mistake. Although he and his colleagues were now perfectly sensible that such a proviso would exclude and disfranchise many persons who were in all respects most worthy of the enjoyment of the elective franchise, yet he would fairly state that the object which they had in view when they made this restriction was, that the rent should be paid half-yearly and no oftener. It had been stated to the Government, that there was a class of persons who paid their rent weekly, and monthly, and quarterly, and that they were a very disreputable class. Now, the object which the Government had in view in making this restriction was to exclude that class of persons. The Government, however, had discovered that this information was not correct. They had ascertained, upon inquiry, that many most respectable persons were in the habit of paying their rent, not only quarterly, but even weekly and monthly. To give an instance—this was the case in Manchester. He had conversed upon the subject with persons from Manchester—persons, he must say, of as much intelligence as any men that he had ever conversed with in his life, and persons whom he believed to be, in every sense of the word, most respectable—and these persons had told him that they occupied houses, the rent of which they paid weekly. These persons explained to him, that it was sometimes for the convenience of the landlord, and sometimes for the convenience of the tenant—generally for the convenience of both arising from the custom of making weekly receipts and payments—that this system should be adopt-

ed. They told him, that this was the only reason of the rents being reserved weekly, and that this reservation, and the custom of paying them weekly, arose from this circumstance only, and not from any doubt on the part of the landlord as to the respectability of his tenants. The same they had found, upon inquiry, to be true of other places; and he had stated this case of Manchester only as an example. Under these circumstances, therefore, the Government had considered that they ought not to make any regulation as to the period at which rents should be paid, and that a man's right of voting should not be made to depend at all upon the manner in which the rent of his house might be payable. But then, while thus, on the one hand, they did away with all provision as to how a man's rent should be paid, they ran the risk, on the other hand, of opening the door to the admission of a class of persons which might be very far from respectable. To obviate this inconvenience, the Government proposed to make another alteration in the clause. As the clause now stood, it required that the occupier of the 10*l.* house should have held the house for six months. This period of six months they proposed to change into twelve months. By this alteration they disfranchised no one, while they required a reasonable security for a man's respectability, by rendering it necessary that he should have occupied a 10*l.* house for so long a period as twelve months. Another alteration which they proposed to make in the clause was this:—The clause, after giving the right of voting to the occupiers of houses which were of the yearly value of 10*l.*, or rated to the relief of the poor at 10*l.* a-year, or assessed to the taxes at 10*l.* a-year, or subject to a rent of 10*l.* a-year, made it necessary that all rents, rates, and taxes, due in respect of such houses, should have been paid before the person claiming to vote could be registered, and exercise the right of voting. This restrictive provision it was intended to alter. Early in the discussions upon this Bill, the hon. and learned member for St. Mawes (Sir Edward Sugden), in allusion to this provision that the voter's rent must be paid before he could exercise his right of voting, had said, somewhat sarcastically, that the Bill was a capital landlord's bill. Now he could assure the hon. and learned member for St. Mawes, that this objection had

struck the Government as a very forcible one; and it had produced an effect which, in all probability, was not contemplated by the hon. and learned Member. The Government had determined to abandon, except in one particular case, this provision with regard to the payment of the rent. If a man claimed to vote on the simple ground that he occupied a house of 10*l.* a-year rent, then, that being the only ground of his claim, the Government thought it only just to demand that such person should prove, that he had paid his rent, because there was no other means of ascertaining whether the rent was a *bonâ fide* rent; but the Government had considered, that if a man had paid his rates and assessed taxes, then it would be an unnecessary interference with, and inquiry into, the private concerns of individuals, to ask for the proof that the rent also had been paid. The clause, therefore, as it was proposed to amend it, would stand thus—that if a man had paid his rates and taxes, no question should be asked him as to the payment of his rent, and that the proof of the payment of the rent should only be necessary when a person claimed to vote in right of the rent only. The clause would omit all provision as to the payment of rent, except in that one case of voters claiming to vote solely on the ground of their paying a rent of 10*l.* a year. There were many considerations which had induced the Government to make this alteration in the clause. For instance, the fact of a person who occupied a 10*l.* house having paid his rates and taxes, would be known to the overseers, and that fact being known to them, they would place such person upon the list of voters. Being so placed on the list, such person might be called upon to prove, that he had paid his rent, without his ever having sought or wished to place himself in such a condition. Such person might not have paid his rent, and might be obliged to say so. Thus the credit of tradesmen might be materially injured, and so, therefore, besides causing an unnecessary and unwarrantable interference with the private affairs of individuals, the practical working of the Bill might be considerably impeded. It must be recollected too, that it was by no means easy to ascertain whether a man had or had not really paid his rent; whereas, there was no difficulty in becoming assured that a man's rates and

taxes were paid. Again, he did not think that any disadvantage would result from this alteration of the clause in the way of lessening the security for the respectability of the electors; because, as they had altered the period of occupancy from six to twelve months, they had thereby a tolerable security as to respectability; and if a man had not paid his rent one year, it was only a fair inference that his landlord would remove him from his tenancy. Another alteration which it was intended to make in the Bill, had arisen from the provision, that all rates should be paid having been so put as to include Church-rates. Now this would exclude from the exercise of the elective franchise one of the most respectable classes of his Majesty's subjects—he meant the Quakers. It was well known that Quakers refused to pay Church-rates until their goods were distrained. An alteration, therefore, would be made in the wording of the clause, so as to respect the scruples of the Quakers. A difficulty had also arisen with regard to the registering clause. That clause enacted, "that the list of the registered voters should be made up on or before the last day of August in each year. It appeared, however, when the ordinary days of making the payments of rates and taxes required to be made by the Act were considered, that if the lists were to be made up on the last day of August in each year, and no persons put on those lists who had not paid their rates and taxes up to that time, the consequence would be, that many would be unavoidably, and without any fault of theirs, excluded from the lists. It was proposed, therefore, that all persons who had made such payments up to the first day of the preceding July, should be entitled to be placed on the lists. The Committee were aware, that in the clause which regulated the registering of votes in counties, it was required, that the Overseers and Clerk of the peace should prepare the lists of voters; but then the Clerk of the Peace and the Overseers were not to be the final judges of the correctness of such lists. The clause empowered the Judges of Assize to appoint Barristers, who were to revise the lists of the county voters, and the Overseers and Clerk of the peace, attending before the Barristers so appointed, with the lists they had prepared, the Barristers were, on due proof made before them, to insert in, and expunge from the lists, such names as might have

been improperly left out of, or admitted into, the lists, and to rectify any other mistakes which might occur in the list. The provisions, however, of the clause which regulated the registering of the votes in boroughs were different. The Overseers were to prepare the lists of borough voters, as in the case of county voters, but then the clause made the returning officers of the borough, the revisers and rectifiers of the lists of the borough voters in the last instance. Upon consideration, the Government had considered, that this duty ought not to be confided to the returning officers. The Government had considered, that the final decision upon the borough lists should be committed to the same authority as the final decision of the county lists. It was proposed, therefore, to assimilate those two clauses in this respect; and as in counties, so in boroughs, to enact, that the final revision and settlement of the registered lists should be vested in Barristers, appointed to that duty by the Judges of Assize. He had another point to mention, which he believed was deemed of importance; he alluded to the subject of joint occupancy. The principle of county Representation was, that when the joint occupancy of any freehold amounted to as many 40s. tenancies as there were owners, every owner had a vote and he intended, that the same rule should be observed with respect to the joint occupancy of premises in towns. If, for instance, there were a tenement of the value of 100*l.* a year, which was held by twelve persons, none would have any right to vote, but if it was held by ten individuals, then each would have his vote. By this regulation many grounds of dispute would be avoided. He had now given a general view of the alterations which had been made in these two important clauses of the Bill. He trusted, that the subject would not be discussed at present, as the clauses were not immediately before the House, but the clauses, as amended, should be printed directly, and laid before the Committee. He should move, that the Committee do report progress.

Sir *John Bourke* wished to know if the equitable instrument at the time of registration was to be stamped or not?

The *Solicitor General* said, that the object of Ministers was, that the equitable instrument should apply to copyholders and householders as well as to freeholders, and that it would require to be equally valid.

Mr. *Hodgson* wished to know, if persons occupying shops and houses in different parts of the same town would be prevented from voting, if neither separately were of sufficient rent to confer the right.

The *Attorney General* was not quite prepared to answer the question, but he thought the circumstances mentioned not likely to occur.

Mr. *Hodgson* assured the hon. and learned Gentleman, that in the town he represented if the clause operated in the

manner he had pointed out, it would completely exclude 200 or 300 persons from the enjoyments of the elective franchise.

Mr. *Hume* was not perfectly aware whether the 8th clause was withdrawn or not, and he should be glad to be informed, as, if it remained, it would excite some alarm.

The *Attorney General* replied, that the clause had been withdrawn to be amended.

House resumed. Committee to sit again on Tuesday.



I N D E X

TO VOL. IV. AND V.

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1831.

Second Volume of the Session.

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TO THE

SUBJECTS OF DEBATES

SESSION 1831,

(Second Volume of the Session.)

VOLUMES IV AND V (*THIRD SERIES*) OF

HANSARD'S PARLIAMENTARY DEBATES.

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